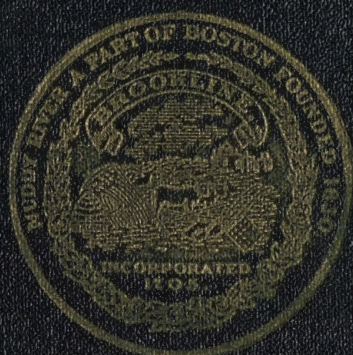


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# *265th Annual Report*

OF THE TOWN OFFICERS OF  
**BROOKLINE**  
MASSACHUSETTS

FOR THE YEAR ENDING DECEMBER 31  
**1970**

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2621b Annual Report  
OF THE TOWN OFFICERS OF  
BROOKLINE  
MASSACHUSETTS  
FOR THE YEAR ENDING DECEMBER 31  
1970



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# Town of Brookline

## ELECTED TOWN OFFICERS FOR THE MUNICIPAL YEAR 1970-1971

### Moderator (3-year term)

JUSTIN L. WYNER (1973)

### Town Clerk (3-year term)

THOMAS F. LARKIN (1973)

### Board of Selectmen (3-year term)

GEORGE V. BROWN, JR., *Chairman* (1971)

SUMNER Z. KAPLAN (1972)

ROBERT C. COCHRANE, JR. (1972)

HERBERT ABRAMS (1973)

ELEANOR MYERSON (1973)

### Treasurer and Collector (3-year term)

NEIL A. NEVERGELT (1972)

### Trustees of Public Library (3-year term)

ROBERT I. HUNNEMAN, *Chairman* (1971)

GEORGE L. BLACKMAN (1972)

FRANCIS A. CASWELL (1973)

RUTH S. CHUTE (1972)

PHILIP DEAN (1973)

EMILIE L. DROOKER (1972)

BERNARD E. EDELSTEIN (1971)

TUDOR GARDINER (1972)

MORRIS GOLDMAN (1973)

\*SIDNEY L. KAYE (1971)

\*\*FRANCIS PARKMAN (1973)

BARBARA A. TAUBENHAUS (1971)

### School Committee (3-year term)

JACQUES M. DRONSICK, *Chairman* (1972)

JOHN CONNORTON (1973)

THOMAS P. HENNESSEY (1972)

RAYMOND T. McNALLY (1972)

VIOLA R. PINANSKI (1973)

ALETTE E. REED (1971)

JOSEPH ROBINSON (1971)

ELLSWORTH E. ROSEN (1971)

ROBERT H. STURDY (1973)

### Trustees of Walnut Hills Cemetery (3-year term)

ROGER B. TYLER, *Chairman* (1971)

RUSSELL HASTINGS (1971)

RUSSELL H. MANN, JR. (1972)

SIMON P. TOWNSEND (1972)

LUCIUS T. HILL (1972)

ERNEST R. CAVERLY (1973)

\*Deceased

\*\*Resigned

## Constables

JAMES V. ESPOSITO  
 THOMAS J. HILL, JR.  
 \*CHARLES L. HAPGOOD

WILLIAM F. NORRIS, JR.  
 MILTON M. SACHS

## Brookline Housing Authority (5-year term)

HARRIET BREMNER, *Chairman* (1975)  
 JOHN W. KICKHAM (1971)  
 JOSEPH J. SLOTNIK (1971) — State appointed member  
 FRANCIS J. SEXTON (1973)  
 THERESA J. MORSE (1974)

## Brookline Redevelopment Authority (5-year term)

HERBERT K. BREMNER, *Chairman* (1973)  
 DAVID E. ALPER (1972)  
 JAMES M. BROWN (1971)  
 MAURICE F. CHILDS (1975) — State appointed member  
 JOHN M. REED (1975)  
 \*WILLIAM H. BURKE

\*Deceased



## APPOINTEES FOR THE MUNICIPAL YEAR 1970-1971

### *Board of Selectmen*

RICHARD T. LEARY, *Executive Secretary*

### *Town Counsel*

PHILLIP COWIN

### *Advisory Council of Public Health (3 years)*

GEORGE C. HOUSER, *Chairman* (1973)

DR. ROBERT J. DONOVAN (1971)

MRS. VIOLA R. PINANSKI (1971)

DR. M. MICHAEL COHEN (1972)

DR. LEONARD B. GREEN (1972)

\*DR. JOSEPH GARLAND (1970)

\*\*DR. JONATHAN E. FINE (1973)

### *Director of Public Health*

HENRY M. GREENLEAF, M.D., M.P.H.

### *Assessors*

JAMES H. HENDERSON, *Chairman* (1973)

FRANCIS E. RYAN (1971)

ARYEH R. FRIEDMAN (1972)

### *Board of Appeals*

KENNETH B. BOND, *Chairman* (1971)

MAURICE I. MILLER (1972)

RUSSELL W. AMBACH (1973)

THOMAS F. LARKIN, *Secretary*

### *Board of Appeals — Associate Members*

ARTHUR J. HANFLIG (1971)

CLIFFORD D. STEWART (1972)

RICHARD T. LEARY (1973)

### *Board of Examiners*

CLIFFORD D. STEWART, *Chairman* (1972)

EUGENE EISENBERG (1971)

JULIUS ABRAMS (1973)

\*Resigned 11/10/69

\*\*Appointed 7/27/70

*Building Commission*

STANLEY SHUMAN, *Chairman* (1971)  
 GEORGE MICHELSON (1971)      #JOHN R. LAKE (1971)  
 JOSEPH P. RICHARDSON (1971)      ##HERMAN SNYDER  
 ‡ROBERT W. STOKES      ###HARRY OLINS (1971)

*Building Commissioner*

ROBERT J. STEWART (1971)

*Inspector of Wires*

ROBERT J. STEWART

*Conservation Commission*

FRANCIS X. MEANEY, *Chairman* (1972)  
 \*MRS. MARTIN A. LINSKY (1971)      ###EDWARD T. PETERS (1972)  
 \*\*ROBERT KRAMER (1971)      +++MRS. MORTON WALDSTEIN (1973)  
 MRS. CHARLES T. COWEN (1971)      §S. RUSSELL SYLVA (1973)  
 ++RICHARD J. BERTMAN (1972)      MRS. GEORGE H. LYMAN (1973)  
    HENRY T. WIGGIN (1973)

*Committee on Planting Trees*

G. PEABODY GARDNER, *Chairman* (1971)  
 HAMILTON COOLIDGE (1972)  
 DR. JAMES FAULKNER (1973)

*Park and Recreation Commission*

JEAN B. WALDSTEIN, *Chairman* (1971)  
 CANTOR MICHAEL HAMMERMAN (1971)  
 †THOMAS P. KENDRICK, M.D. (1972)  
 ++JOHN E. MURPHY (1972)  
 ++F. GREGG BEMIS (1972)  
 +++DANIEL F. FORD (1972)  
 JAMES F. POWERS (1972)  
 WILLIAM J. DOHERTY (1973)  
 MICHAEL STEIN (1973)

*Superintendent of Recreation*

JAMES J. LYNCH

#Resigned 8/10/70	+++Appointed 9/14/70
#Appointed 9/21/70	+++Resigned 5/24/70
##Resigned 12/7/70	§Appointed 5/26/70
###Appointed 12/14/70	†Deceased
*Resigned 3/1/70	††Appointed 5/18/70
**Appointed 5/26/70	+++Resigned 6/15/70
‡Resigned 5/24/70	++++Appointed 7/27/70

*Superintendent of Parks and Forestry*

DANIEL W. WARREN, JR.

*Personnel Board*HORACE E. LITTLE, *Chairman* (1971)

ALFRED H. ROSENTHAL (1971)

‡JOHN A. COFFEY (1972)

‡‡PHILLIP S. JACKSON (1972)

‡‡‡FRANCIS X. FLANNERY (1970)

‡‡‡‡FRANCIS J. O'BOY (1973)

DAVID D. COCHRANE (1973)

*Planning Board*WILLIAM J. GEDDIS, *Chairman* (1975)

ELLEN S. HELLER (1971)

WILLIAM D. MEHEGAN (1972)

BERTRAM R. PALEY (1973)

HAMILTON COOLIDGE (1974)

*Planning Director*

JOHN E. WOODWARD, JR.

*Registrar of Voters (3-year term)*EDWARD O'H. MULLOWNEY, *Chairman* (1971)

C. BARNARD TUCKER (1972)

WILLIAM B. HICKEY (1973)

THOMAS F. LARKIN (Clerk ex-officio)

*Retirement Board*

JOSEPH P. DUFFY (Elected by members) (1973)

NEIL NEVERGELT (1971)

FRANK E. MAURITZ (ex-officio)

*Traffic Appeals Board*

STANLEY T. SIEGEL (1973)

EUGENE P. CARVER, JR. (1971)

HENRY K. WHITE (1972)

*Traffic Advisory Board*RICHARD T. LEARY, *Chairman*

JAMES C. ROURKE

ANDREW J. COLGAN

WILLIAM D. MEHEGAN

LEO D. PICARDI

RALPH P. RUDNICK

*Director of Traffic and Parking*

MICHAEL L. BURKE

‡Resigned

‡‡Appointed 11/23/70

‡‡‡Resigned

‡‡‡‡Appointed 9/9/70



*Advisory Committee*

JOHN R. LAKE, *Chairman*  
 ANNE N. BAYBUTT  
 ADRIAN E. BESSEY  
 ABRAHAM BURACK  
 THOMAS P. CONDON  
 DANIEL DEYKIN  
 THOMAS F. DONOVAN  
 MARTHA G. EDMONDSON  
 EDNA FEDERMAN  
 THEODORE FIRTH  
 SIDNEY GROSS  
 ARTHUR J. HANFLIG  
 HERMAN W. HEMINGWAY  
 ANNE A. JACKSON  
 SYLVESTER KAUFMAN

ROBIN LINCOLN  
 HARRY L. MARKS  
 ALEXANDER MASON  
 FRANCIS E. McCONE  
 EDWARD NOVAKOFF  
 MATTHEW ROBERTS  
 MAURICE P. SHEA  
 ALLAN SIDD  
 LESTER S. SNEIRSON  
 MARTIN A. SUMMERFIELD  
 BARTON H. TAYER  
 ANN M. WACKER  
 DAN S. WHITE  
 JOHN N. WILSON  
 ABRAHAM ZIMMERMAN

THOMAS F. LARKIN, *Secretary*

*Council on Aging*

MRS. LOUISE M. CASTLE, *Chairman*

*Comptroller*

FRANK E. MAURITZ (1972)

*Fire Department*

\*\*ARTHUR A. O'SHEA, *Commissioner* (1973)

\*WILLIAM H. BURKE, *Commissioner*

ANDREW J. COLGAN, *Chief*

*Forest Warden*

ANDREW J. COLGAN

*Inspector of Petroleum*

ANDREW J. COLGAN

*Librarian*

MRS. THERESA A. CARROLL

*Police Department*

JAMES C. ROURKE, *Chief of Police*

*Keeper of the Lock-up*

JAMES C. ROURKE

\*Deceased 5/31/70  
 \*\*Appointed 6/29/70

*Public Schools*

ROBERT I. SPERBER, *Superintendent of Schools*

*Public Works Department*

LEO D. PICARDI, *Commissioner of Public Works*  
RICHARD R. FAIRBANK, *Director of Engineering*  
RICHARD T. KIRBY, *Director of Highways*  
JOSEPH B. MINAHAN, *Director of Sanitation*  
PAUL T. CLANCY, *Director of Water Division*

*Purchasing Agent*

EDWARD F. CLASBY

*Director of Veterans' Services*

JOHN T. CONNOR

*Agent for the Burial of Indigent Soldiers and Marines*

JOHN T. CONNOR

*State Aid Agent*

JOHN T. CONNOR

*Director of Civil Defense*

PETER J. NEEDHAM (1971)

*Town Clerk's Department*

JOHN J. KEAVENEY, *Assistant Town Clerk*

*Treasury Department*

JOSEPH E. MAGOWAN, *Assistant Treasurer*

*Walnut Hills Cemetery*

HERBERT B. FISHER, *Superintendent*

*Agent for the Management of Real Estate*

JOSEPH E. MAGOWAN (1971)

*Custodian of Foreclosed Tax-Title Property (3 years)*

JOSEPH E. MAGOWAN (1971)

*Constable*

EDWARD FINSTEIN

*Deputy Tax Collector*

THOMAS P. CONDON

*Dog Officer*

PTL. THOMAS B. H. MacGREGOR

*Fence Viewers*JAMES M. BROWN  
CHARLES R. BURNS*Measurers of Wood and Bark*THEODORE FIRTH  
ROBERT W. TAYLOR*Inspector of Animals*

DR. HERBERT S. CARLIN

*Local Moth Superintendent of Insect Pest Control*

G. PEABODY GARDNER

*Scaler of Weights and Measures*

RAYMOND F. WAGNER

*Weighers of Coal*AUGUSTUS M. SIGNORE  
MRS. LOUISE JONES*Rent Control Board*STEVEN J. COMEN, *Chairman*  
ELIOT CONVISER  
MARSHALL A. DANA  
MARION E. DUBBS  
BRIAN M. FRAWLEY  
GEORGE F. McNEILLY  
EDWARD L. WEISBERG*Youth Resources Council*

RABBI MOSES J. COHN, <i>Chairman</i> (1973)	DR. ARON O. LURIE (1972)
SISTER M. CORITA (1973)	MRS. THERESA J. MORSE (1972)
MRS. LEONARD A. CUSHNER (1973)	MRS. JOYCE PRIESTLY (1971)
DAVID DUBIN (1973)	MRS. NORMAN SADOWSKY (1971)
MRS. MARC FRIED (1973)	ISAAC SELIGSON (1971)
*MRS. MARC JARTMAN (1972)	MRS. EDNA STEIN (1971)
JOHN KELLIHER (1972)	REV. DONALD WILLIAMS (1971)
MRS. SARA LEVY (1972)	

*Human Relations Commission*

GEORGE L. BLACKMAN, *Chairman*  
WARREN H. DALZELL  
BERNARD E. EDELSTEIN  
AARON M. FEUERSTEIN  
HASKELL KASSLER  
GEORGE J. KATZ

SHIRLEY L. McGARRY  
FRANCIS T. NORTON  
FRANCIS J. SEXTON  
MARSHALL J. SMITH  
LEDONIA WRIGHT





TOWN HALL • BROOKLINE

A Report to You  
from your  
**BOARD OF SELECTMEN**  
and your  
**EXECUTIVE SECRETARY**





# Report of the Board of Selectmen

GEORGE V. BROWN, JR., *Chairman*

SUMNER Z. KAPLAN

ROBERT C. COCHRANE, JR.

HERBERT ABRAMS

ELEANOR MYERSON

## THE BOARD OF SELECTMEN

At the Board's organizational meeting on March 9, 1970, following the Annual Town Election, George V. Brown, Jr. was elected Chairman. Other Board members are Sumner Z. Kaplan, Robert C. Cochrane, Jr., Herbert Abrams, and Eleanor Myerson. Richard T. Leary was reappointed to serve as Executive Secretary of the Board for the ensuing year.

This year's Annual Report of the Selectmen will again stress the Board's role in administering the new programs and services which have characterized the changing pattern of urban life over the past several years. While these new challenges to municipal administrators receive a full measure of publicity and require many hours of attention, the usual ongoing functions of Town government cannot be overlooked for they still account for the greater part of the municipal budget, and any diminution in service results in justified complaints from the townspeople. Thus, while the establishment of new departments and agencies to deal with such problems as rent control, youth services, human relations and services for the elderly answer urgent community needs, the addition of these functions and the expansion of the more traditional town services into the areas of traffic and parking, community planning and development, and collective bargaining, place a considerable burden on the Town's administrative structure. In addition, all these expansions have the inevitable result of increasing the tax burden on every citizen of the town, whether it be the homeowner or the tenant, who is required indirectly to assist in assuming his proportionate share of the cost of community services.

As later sections of this report and the Executive Secretary's Report will illustrate, the Selectmen devoted a great deal of time during the year in developing fiscal guidelines for both the long-range capital improvement program and the annual operating budget. With the substantial increase of \$10 in the 1970 tax rate, the need to at least stabilize and hopefully reduce some elements of municipal expense could not have been more apparent, particularly since there appears to be no major relief in sight for the already overburdened taxpayer.



The Town has been alert to the various federal programs for which grants have been authorized by Congress, but the sharp curtailment in federal grant allocations, particularly in the area of urban renewal, has meant that the greatest emphasis has had to be placed on our comprehensive Code Enforcement Program for which we have either received or been allocated over \$5 million in grant funds to upgrade the Coolidge Corner and Washington Square sections of the Town. The progress of our Code Enforcement Program will be discussed in detail in another section of this report.

It was noted in last year's Annual Report that several improvements were contemplated in the manner in which the functions of the Board of Selectmen are carried out. In this connection, a new *modus operandi* for Board meetings was established in 1970 whereby the more important matters coming before the Board for consideration are accorded priority status on the agenda, with sufficient time allotted for each to permit full discussion and definitive action. Prior to the beginning of each meeting, at 2:00 p.m., an administrative session is held at which time the Board reviews the agenda in advance and discusses matters on an informal basis. Further changes that are in the process of being implemented are —

1. Discussion of annual appointments several weeks in advance of the effective date of same.
2. Review on a quarterly basis of all projects approved by Town Meeting.
3. Transfer of routine administrative functions involving Police Department operations and issuance of various licenses and permits to the appropriate Town departments.

These steps, which supplement actions taken previously to assure maximum publicity of Board decisions and the manner in which policy decisions are reached, can only result in a more efficient and orderly administration of Town affairs.

## RENT CONTROL

The status of the Town's rent control situation was in considerable doubt during much of 1970 due to legal challenges and the delay in securing passage of state enabling legislation.

It will be recalled that the powers and duties of the former Rent Review and Grievance Board had been made the subject of a basic test case bearing on the constitutionality of the Town by-law adopted on June 24, 1969. The Grievance Board continued to function on a modified basis until June, 1970, when the Supreme Court case brought by Marshall House, Inc., was decided against the Town. In anticipation of such a decision in the absence of enabling legislation, the Selectmen inserted an article in the warrant for the June, 1970 Special Town Meeting, the substance of which was special

legislation for Brookline to assure continuity in rent regulation activities in the Town. The Board took the initiative at that time in the strong belief that some form of rent regulation had to be maintained in Brookline to cope with the problem of rising rents and the acute housing shortage which has existed for some time. The Town Meeting approved the filing of the proposed special legislation by an overwhelming margin, and the bill was introduced in the General Court immediately thereafter.

Members of the Board then appeared at the legislative hearing before the Committee on Local Affairs and urged its passage, citing the number of elderly and persons living on fixed incomes residing in the Town. Following the hearing, the Selectmen continued to press for adoption of the special legislation throughout the various stages of the legislative process. Then, towards the end of the Legislative Session in August, Governor Sargent filed with the Legislature a general rent control measure to become effective in cities of the Commonwealth, regardless of population, and in towns with a population of 50,000 or over, thirty days after the acceptance of its provisions. On August 31, the Governor approved both the general rent control legislation and the Special Act for Brookline, with certain minor amendments that had been incorporated following the legislative hearing. Thus, the Selectmen were required to decide which of the two Acts would best serve the interests of the landlords and tenants and meet Brookline's needs at this time.



Interior View of Addition to the Coolidge Corner Branch Library

The advantages and disadvantages of both pieces of legislation were discussed at length. While recognizing that guidelines and standards to achieve effective rent control had been specifically sanctioned by the Legislature in the general enabling statute, thereby assuring that a rent control system could become operative forthwith, the Board was nevertheless concerned that the provisions of Chapter 842 did not include owner-occupied two-family and three-family structures as controllable units. In order to correct this deficiency, this category of housing units was included in a by-law under the authority vested in the Town's special legislation, and both the general statute and the supplementing by-law were placed before the September, 1970 Special Town Meeting for adoption. They were passed by a very substantial margin.

During the thirty-day period prior to the effective date of the general rent control statute, the Board interviewed applicants for membership on the Rent Control Board. It having been determined that at least initially the Board would consist of seven members, the following were appointed on October 20 to serve in the various categories:

Public Interest Representatives:

Brian M. Frawley, George F. McNeilly, Edward L. Weisberg

Tenants' Representatives:

Steven J. Comen, Marion E. Dubbs

Landlords' Representatives:

Eliot Conviser, Marshall A. Dana

Shortly after the Rent Control Board commenced operations, a preliminary injunction was issued by Judge Good in Norfolk Superior Court preventing the members of the Rent Control Board and its staff from enforcing any portion of Chapter 842, as adopted by the Special Town Meeting. Subsequently, a second injunction was issued by the court with respect to the by-law relating to the control of owner-occupied two-family and three-family dwellings. These actions produced a chaotic situation in the Town and in many cases affected adversely the relationship between landlord and tenant. In order to clarify matters insofar as possible, the Selectmen proceeded to advise all tenants that their November, 1970 rent should be that amount they paid in March, 1970, as prescribed in the statute. The Board's position was based upon the fact that the injunction did not affect those portions of the law which set forth the rental rate to be charged after October 29, 1970, or the section relating to evictions. Concurrently, the Board engaged special legal counsel to protect the interest of the Town in the pending litigation and to see that the court cases were brought to a speedy conclusion. Late in the year, Supreme Court Justice R. Ammi Cutter modified the preliminary injunction issued by the Superior Court early in November, thereby clarifying the Brookline Rent Control law as it applied to multi-unit dwellings. As a result of Judge Cutter's ruling, the Rent Con-



trol Board was permitted to distribute information, process petitions for rent increases or decreases, hold hearings, act on applications for eviction certificates, make studies and investigations, and promulgate regulations. Several qualifications governing the Board's operations were also set down.

Despite the obstacles which confronted the Selectmen and the Rent Control Board and prevented them from implementing the expressed desires of the residents of the Town, it is believed that substantial progress was achieved during 1970 in the direction of an effective rent control program. The recent decision of the Supreme Judicial Court which upheld the powers and responsibilities of the Rent Control Board, as conferred upon the Board by Chapters 842 and 843, finally clears the way for an amelioration of the problems besetting many tenants in Brookline, particularly the elderly and those living on fixed incomes.

## PLANNING AND DEVELOPMENT

### *Beacon Street Development Study*

The sum of \$30,000 was appropriated at the 1970 Annual Town Meeting for the purpose of engaging the services of an urban design consultant to assist in the preparation of a development program for the three commercial areas along Beacon Street: lower Beacon Street, Coolidge Corner, and Washington Square. The Selectmen and the Planning Board sought this initial amount to finance Phase I of a comprehensive study aimed at providing development guidelines on which the Planning Board could rely when formulating specific recommendations to be included in the Comprehensive Plan and in any amendments to the Zoning By-Law that might be required to implement a development program. It was thought that if the Town could realize a significant portion of the great potential for an increased tax base in the three locations, it would prove to have been money well spent. At the time the appropriation was sought, it was emphasized that this development program would be geared to produce immediate short-term objectives in the form of development guides and incentives so that within two to five years there would be new development in these areas.

The firm of RTKL, Inc. of Baltimore, a nationally renowned firm, was selected to undertake the analysis and study on the basis of its experience in revitalizing a number of downtown areas. Following an initial presentation of the proposed scope of the study by Archibald Rogers at the Main Library in June, 1970, and acting on the consultant's recommendation, a Steering Committee for the program was appointed, representing both public and private interests. Several property owners in the affected areas as well as representatives of tenants, service organizations, local banks, religious institutions, various town agencies, and the community at large were appointed

to guide the development of the program. Selectman Herbert Abrams has represented the Board on this Committee since its formation. Committee members met a number of times during the fall to review the work of the consultants which was submitted in reconnaissance form, showing in a variety of ways the level of development that exists at the present time. Techniques to be utilized by the consultants were discussed at considerable length by the Steering Committee, and three separate area groups were formed to review in more detail area problems and potential, including preliminary design possibilities.

The general approach followed by the consultant in the three areas has been to attempt to work with the landowners and tenants in an effort to find a means to attain the ultimate goal of achieving optimum use of available land with a minimum amount of disruption to all concerned. Since the reconnaissance segment of the study was completed, several problems have become apparent, such as transportation, land leasing patterns, financing, and competing investment opportunities. The development of air rights over Town property is cited as an important first step in stimulating new development, providing that more specific guidelines are used than were applied in the first advertisement for proposals.

The consultants in their recent report to the Selectmen pointed out that an array of different mechanisms is presently available, which, used singularly or in combination, can do much to create a better climate for investment:

*Promotional activity* undertaken by the Town in order to stimulate development of key properties in each area.

*Zoning incentives* designed to allow greater densities for Planned Unit Development, including public facilities, parking, and appropriate open space.

Stimulating the formation of *Section 121A corporations* allowing tax relief to the developer and at the same time creating new revenue for the Town.

Encouraging the use of special *federal and state aid programs* such as the TOPICS program for improvements to the transportation network, MHFA housing finance, 90% FHA assistance for the construction of medical facilities, and code enforcement loans for improvement of business properties.

A mechanism not presently available in Massachusetts involves the creation of a *Public Development Corporation* with the responsibility of assembling land and promoting joint public/private development and including the power of eminent domain and revenue bond financing. This mechanism would require new state enabling legislation.

The very preliminary surveys which have been conducted to date indicate that there is a capacity for future development at the three locations as follows:

	No. Sq. Ft.	Total Project Value	Estimated Tax Revenue
Lower Beacon Street .....	600,000	\$21,000,000	\$1,080,000
Coolidge Corner .....	2,270,000	70,661,000	4,209,000
Washington Square .....	130,000	3,330,000	198,000
	<u>3,000,000</u>	<u>\$94,991,000</u>	<u>\$5,487,000</u>

The Selectmen believe that a good start has been made in outlining the opportunities available for more intensive development of the three areas, making every effort to capitalize on the Beacon Street image and its accessibility to Boston and the metropolitan area. Phase II of the study, which is included in the Capital Improvement Program recommended by the Planning Board, will commence in May, 1971, assuming that the requested appropriation of \$45,000 is acted on favorably by Town Meeting.

### Urban Renewal

As 1970 ended, the Combined Insurance Company's \$5,000,000 complex was nearing completion. This development, located on the northeast boundary of the Marsh Project near the intersection of the Massachusetts Bay Transportation Authority tracks and Washington Street, will be called *The Hearthstone Plaza*. It is expected that a Walter Reed Theatre, a Norfolk County Trust Company branch office, and a restaurant, along with other commercial enterprises, will occupy part of the structure later in 1971. At strategic points on the plaza level will be planters and evergreen screening as well as an interesting fountain display.

Hearthstone Insurance Company will occupy approximately 55,000 square feet of office space, and the total population of the building complex will be approximately 750 persons. Since Hearthstone's annual payroll will be in excess of \$2 million, its opening should spur the economic revitalization of Brookline Village. The development has been built to maintain the human element of the existing neighborhood as well as to be the centerpiece of the future urban developments planned by the Redevelopment Authority to the north and the east. It is anticipated that the complex will return to the Town approximately \$250,000 annually in taxes when completed.

Construction of the moderate income housing portion of the Marsh development has been delayed somewhat due to the inability of the developer to obtain FHA funds with which to finance this project. The Redevelopment Authority is presently reviewing a revised site plan which provides for 233 low and moderate income apartments for families and 154 units for the elderly. The advantages of the site are fully utilized both by



enclosing the MBTA Riverside line to recover usable land area and by orienting each apartment toward the surrounding parks. The elderly housing is situated at the northeast corner of the site adjacent to both the Kent and Brookline Avenue playgrounds. The central location permits easy access to proposed commercial areas, to bus and rapid transit stops, recreation facilities, and other sections of Brookline Village. This housing development, when completed, will serve as a major relocation resource for families from the proposed nearby Cameron Urban Renewal Project.

An important aspect in the remaining development of the Marsh Area is the Urban Design Study which was undertaken during the past year. Carried out under the supervision of Professor Wilhelm Von Moltke, a well-known expert in this field and a Professor of Urban Design at Harvard University, the study proposes to use the land located between the Hearthstone Office Complex and the moderate income housing development for prestige office buildings with ancillary commercial facilities. A high-rise motel is proposed for the area near the intersection of Brookline Avenue and Washington Street. Several of the decisions inherent in the Von Moltke proposal are based on the results of the Brookline Village traffic study which was completed late in 1970, a key recommendation of which was to construct an overpass over Route 9 from Washington Street to High Street to provide for the separation and uninterrupted flow of both the heavy regional east-west traffic and the local north-south traffic.

The Town still awaits approval of the application for the Cameron Project area which has been pending for several years; hopefully, funds for planning this project will be released prior to the end of the Federal fiscal year, June 30, 1971.

### *Dedication of Arthur O'Shea House*

One of the highlights of the year was the dedication of the O'Shea House, the new 100-unit housing for the elderly complex at Park and Auburn Streets, on October 25. Several hundred residents, members of Town agencies, and the tenants in this new facility joined in the dedication ceremonies which were held exactly two years from the date of the official groundbreaking exercises. The new structure, which was acclaimed by all in the community, was designed by the architectural firm of Bedar & Alpers, Inc., and the general contractor on the project was Sciaba & Co. The dedication of this housing for the elderly in honor of Arthur O'Shea was a fitting tribute to the Town's first full-time administrator, who served so effectively for twenty-six years until his retirement on December 31, 1968.

The Brookline Multi-service Senior Center, under the direction of Mrs. Evelyn Greenman, continues to provide a variety of services to the senior citizens of the Town, and the staff has been augmented by the assignment of personnel to O'Shea House. The pride sheltered workshop provided by



the Brookline Association for Mental Health has also relocated to O'Shea House, where larger and more modern facilities were made available to the workshop by the Housing Authority. Senior citizens from the neighborhood as well as the housing developments participate in this most worthwhile endeavor.

The completion of O'Shea House brings the number of elderly housing projects that have been constructed by the Housing Authority to three, plus additional units included in a combined elderly and family development, a most impressive record when compared to the experience of other communities. Beyond the number of units available, however, the manner in which the properties are maintained and the extensive services that are provided to Brookline's elderly citizens are the primary reasons for the excellent reputation which the Brookline Housing Authority enjoys throughout the Commonwealth.

### *Private Development*

A significant addition to the supply of low and moderate income housing in the Town was initiated last June when the Selectmen approved the construction of a 12-story apartment building for the elderly on Centre Street at an estimated cost of \$4,025,000. Samuel Stern, Roger W. Stern, and Matthew Stern, a private limited-dividend partnership, authorized under the rules and regulations of the Massachusetts Department of Community Affairs and in accordance with the requirements of Chapter 121A of the General Laws, submitted an application to the Planning Board for an L-shaped building of 214 units, with off-street parking for thirty-nine cars. Following the Planning Board's public hearing, that agency made the determinations required by Chapter 121A for the project to qualify for state funding assistance and voted to approve the development. In view of the difficulties experienced by the Housing Authority in securing federal and state approvals on public projects due to the high cost of land in Brookline, the construction of housing for the elderly under private auspices is most important as it furthers the Town's objective of providing additional housing for low and moderate income families and the elderly. The Centre Street project may be followed by other similar projects in the not-too-distant future.

Other large construction that was under way in some form during the year included a 177-unit apartment structure at Longwood and Sewall Avenues; the high-rise apartment development on the former Dexter School site, which will add a substantial sum to the tax rolls when completed (this project was given the necessary approvals by the Board of Appeals); and a 300-unit luxury apartment development on the site of the old Beaconsfield Hotel, which also received the required variances and special permits from the Board of Appeals. Due to problems experienced by prospective developers in obtaining construction financing and because of the generally high



Longwood Playground Following Reconstruction and  
Installation of New Play Equipment

interest rates which prevailed throughout the year, the total dollar value of new construction in the Town remained relatively constant and this trend seems likely to continue.

#### FEDERALLY ASSISTED CODE ENFORCEMENT PROGRAM

The Concentrated Code Enforcement Program in the North Brookline Area neared completion at the end of 1970. During the past three years 1,619 residential properties and 116 commercial properties were inspected, and the Selectmen are pleased to report that over 98% of the 1,735 structures inspected have been brought into compliance. To date 46 rehabilitation loans totaling \$589,160 have been approved for the area as well as 21 grants amounting to \$62,230. The very substantial investment in private improvements financed through lending institutions has been supplemented by a Town expenditure of \$1,758,909, consisting of various public works. The Federal Government contributes on the basis of two-thirds of all project costs. During 1970, the following streets were completely reconstructed:

Littell Road  
Alton Place  
Stearns Road  
Harvard Avenue  
Harvard Street

Auburn Street  
Harris Street  
Vernon Street  
Marion Street  
Naples Road

Osborne Road  
Manchester Road  
Winslow Road  
Beals Street  
Gibbs Street

Along with the street work listed above new sidewalks were installed on Lawton Street and Coolidge Street. In addition to these improvements, many new trees were planted and the street lighting upgraded to current standards in conformance with the townwide street lighting improvement program.

Beyond its code enforcement functions, the Neighborhood Improvement Program during the summer of 1970 sponsored a Youth Worker Program for the disadvantaged young people in the Town. The ten-week program provided meaningful summer employment for fifty youths, who were employed under the supervision of the Department of Public Works and the Park and Recreation Commission in performing services that the Town would have been otherwise unable to provide.

The success of the North Brookline Improvement Program was responsible in large part for the federal approval of a new Code Enforcement Program in the Washington Square area. The overall project cost for this three-year endeavor will be approximately \$2.9 million, with the Federal Government again participating on a two-thirds share basis. Upon completion of the Washington Square project, 2,601 structures, or 33% of the total number in the Town, will have been inspected on a saturation basis. Since the inception of the Federally Assisted Code Enforcement Program in 1967 the Town's organization for this service has been materially improved, and we are pleased to report that this most productive effort, which upgrades both neighborhood housing stock and public facilities, will be continued and expanded in the years ahead.

## CAPITAL IMPROVEMENT PROGRAM

Shortly after the Board of Assessors announced the \$10.00 increase in the tax rate for 1970, the Selectmen stated publicly that they intended to establish priorities with respect to both the annual operating budget and capital projects. Although the Planning Board for many years had compiled the Capital Improvement Program, it has represented, for the most part, a summary of departmental requests with no concerted attempt made to define priorities on an overall basis and stabilize the fiscal impact over the six-year period. In furtherance of this objective, the Selectmen initiated a series of conferences with the Planning Board and tentatively established a fiscal limitation for capital projects of approximately \$18 million, of which about fifty percent would be allocated to the school building program over the period 1971-1976.

Prior to the Planning Board's annual review early in the fall, departmental requests had totaled \$54 million. At this point, acting on the request of the Selectmen, the Planning Board held conferences with all Town agencies having projects in the Capital Improvement Program and succeeded, in almost every case, in obtaining a reconsideration of the origi-



nal schedules on the basis of those items which were accorded greatest priority. In November, the Selectmen sponsored a general financial briefing for the benefit of all Town Boards, Commissions and Department Heads, at which the administrative staff reviewed the general fiscal trends over the past ten years and outlined salient data with regard to the requested 1971-1976 Capital Improvement Program and the potential effect on the tax rate, if all projects were approved.

All concerned committees were then afforded an opportunity to review their proposed projects with the Selectmen, and at year's end the concurrence of all agencies, except the School Committee, with the Planning Board's recommendations had been secured. The Planning Board's formal report with respect to the Capital Improvement Program was submitted to the Selectmen following its adoption on December 8. As subsequently modified to reflect current cost estimates, it calls for a limit on capital spending of \$21 million in terms of both bonding and tax revenue to be expended over the next six years. This limit is designed to provide for capital improvements within the financial capability of the Town and to assure a relatively constant level of expenditures each year for such improvements.

The Town's Capital Improvement Program, while established annually for a six-year period, is carefully reviewed each year to determine whether some projects can be advanced. As the chief administrative body, the Selectmen deemed it imperative this past year to acquaint all segments of the Town government with the fiscal problems facing the Town and the need for a carefully staged capital program.

## CENTRAL GARAGE

Perhaps the project accorded greatest priority over the years in the Town's Capital Improvement Program has been the construction of a central garage facility which would service all Town departments. The need for a new central garage was recognized immediately after World War II and the Annual Town Report of 1946 stated, under the Highway Department's section, "The question of a new location and building for a central town garage is under consideration and is one of the most pressing problems before the Town." Since that time several consultant studies have been undertaken for the purpose of arriving at a suitable location and to develop a program for space requirements which would apply to any site selected. During the course of these studies several alternative possibilities were considered but only two were deemed feasible — one being at the present location of the Town garage at Cypress and Kendall Streets, which hopefully could be extended to include the Sewall School when abandoned; and the other, on the Cameron Urban Renewal Area, which would involve certain difficulties from an operational standpoint.



In 1969, following a public hearing at the Lincoln School, the Selectmen concluded that the new central garage should not be located on the existing Kendall Street site. After studying other possibilities, the Planning Board recommended that two locations on Town land along Hammond Street be considered. Following further discussions among the Board of Selectmen, the Planning Board, Council for Planning and Renewal, and other Town agencies, the Selectmen retained the firm of Symmes, Maini, & McKee to prepare a comparative site analysis of the two Hammond Street sites. In order to assure full community and neighborhood involvement in the matter of site selection, the Selectmen held a public meeting late in the fall at which residents of the Hammond Street area appeared to present their views. Although a public hearing had been held previously for the residents of Precinct 5, they were also afforded a further opportunity to present the reasons for their opposition to the construction of a new central garage in the vicinity of the present facility.

The final draft of the consultant's report had not been submitted as the year drew to a close, but the Planning Board is very hopeful that the site question can be resolved in 1971 in anticipation of planning funds being requested at the Annual Town Meeting in 1972.

## INNER BELT

The Planning Department was actively engaged during 1970 in discussions with the State Department of Public Works and municipalities affected by the Inner Belt. As noted in last year's report, the major emphasis over the past twelve months was to be on Task B, a joint design team study of the Inner Belt and nearby development in Boston, Brookline, Cambridge and Somerville. However, the Task B study never commenced since early in the year Governor Sargent declared a moratorium on major highway and transit projects and announced that the State would be beginning work on a major integrated transportation study of the metropolitan area within Route 128.

The four concerned communities were invited by the Governor's Office to participate in the formulation of a design for a balanced transportation development program study. Demands on our planning staff were considerable during the latter half of 1970, with the Planning Director spending approximately twenty percent of his time on this project. The study design process involved a great number of meetings on various facets of the program and review of several drafts of the Committee's proposal. The study design was completed in December and submitted to the Federal Government for review, with copies being distributed to municipalities, state agencies, and local citizen groups. The next step will be to secure federal funding of the transportation study, which it is estimated will take approximately two years to complete. The study is of vital concern to

Brookline because it includes consideration of the Inner Belt as well as major arterial and mass transit improvements.

The Selectmen have followed all these developments very closely and can report that the probability of an Inner Belt being constructed within the next few years appears rather remote.

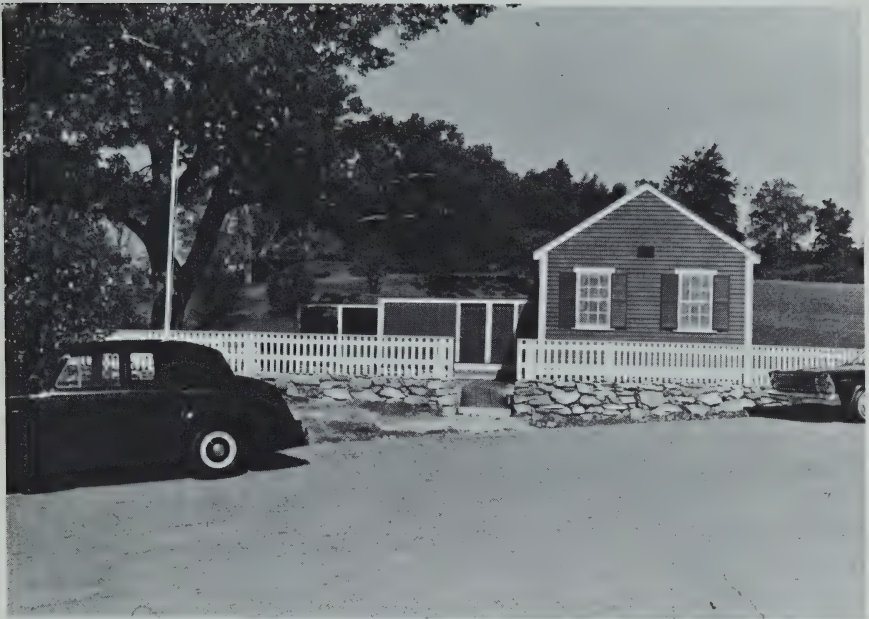
## BUILDING CODE

Preparation of the Town's Building Code continued throughout the year. The Permanent Codes Review Committee consisting of representatives of the office of the Selectmen, Departments of Health, Fire, Building, Public Works, Planning, and citizen members Robert Kramer, Gerald Parker and Eugene Eisenberg, reviewed the comments which had been received from all sources following the publication of the first draft early in the year, and the consultant firm of Simpson, Gumpertz & Heger, Inc., was charged with the responsibility for evaluating these suggested amendments and preparing a summary which explains the various features of the new code. In essence, the proposed new Building Code is intended to accomplish the following:

1. To update the 25-year old present building law by reflecting the many advances and developments that have occurred in building technology, materials, and construction systems and techniques in the intervening years since its formulation.
2. To make the code more consistent with nationally recognized standards, criteria, and conventions.
3. To increase the value and flexibility of the building code by conforming, insofar as it is practicable, to the performance concept of code formulation.
4. To establish a building law which obsolesces less rapidly than the present one, which is more adaptable to future technological evolution, and which is relatively simple and inexpensive to modify and update.

To accomplish the aforementioned goals at minimum cost the national (BOCA) model code has been adapted to meet the requirements of the Town and the statutes of the Commonwealth. A measure of the widespread national acceptance of this code is the fact that it, or a modification thereof, has been adopted by approximately 1,000 communities throughout the United States.

Since the updating of the Town's Building Code is a requirement of the Workable Program which determines our eligibility for Federal funds, it is important that the final code document be acted upon at a Town Meeting in 1971. All concerned agencies will be afforded an opportunity to review the proposed Building Code in detail and a public hearing on the subject will be held prior to its consideration by Town Meeting.



A New Site for the Restored Putterham School —  
Opposite Antique Auto Museum at Larz Anderson Park

## AIR POLLUTION CONTROL

Because of the great interest in the matter of air pollution control, the most recent issue of the Health Bulletin was devoted almost exclusively to this subject. The following excerpt from that publication points up the new regulations which went into effect on July 1, 1970, and the rules governing the operation of incinerators which will become effective on July 1, 1971:

“Effective July 1, 1970, the State Health Department divided the state into six regional air pollution control districts. These will have technical assistance from and be under the administration of the overall state-wide program. Brookline is in the Metropolitan Boston Air Pollution Control District. It consists of 102 cities and towns with an area of 1,435 square miles and an approximate population of over three million.

“To implement the standards for this district, regulations or means of attaining the goals became effective on July 1, 1970. The regulations affect facilities and installations such as thermal and nuclear energy utilization facilities, incinerators, asphalt, stone aggregate crushing, chemical and metal reclaiming plants, dry cleaning establishments, refineries, food processing facilities, and many others. Stringent restrictions on the type and



use of residual fuel oil are expected to lower significantly the levels of sulfur oxides which are serious pollutants. Compliance with these regulations will affect homeowners, businesses, stores, large apartment houses, schools, hospitals, and municipalities. The regulations also control noise. Certain restrictions became effective immediately, such as open burning. Other restrictions are to be phased in over the next several months according to a schedule designed to minimize hardship on people while working constantly for clean air.

"Enforcement of certain of the regulations may be delegated to local authorities if the Town so wishes. These cover open burning, dust and odors, noise, and the control of transportation media. Brookline's Fire Department has very stringently controlled open burning for a long time. Dust, odors and noise have similarly been handled under the old nuisance laws by the Building and Health Departments. Certain types of noise have been handled by the Police Department. It is presumed that these Departments will continue to act in these areas. After July 1, 1971 the Police Department will undoubtedly be designated the authority to enforce the regulations pertaining to idling of motor vehicles in excess of five minutes.

"As the new control measures become effective, they will have a tremendous impact on communities. Many communities in the Greater Boston District could not meet the deadline on open burning. When strict limitation of private incineration goes into effect, it will have a tremendous impact on Brookline's waste disposal problems.

"The Brookline Health Department recently received communications that advised that all new incinerators or existing incinerators which are to be substantially reconstructed or altered must first be approved by the District as to design and operating procedure. After July 1, 1971 all existing incinerators must have the approval of the District as to design and operating procedure. Present indications are that flue-fed incinerators will be required to have separate flues for charging of refuse and discharge of gases. All incinerators will need to be of multiple-chamber design and have auxiliary fuel burners to assure complete combustion and odor elimination. All those anticipating or presently operating incinerators should take note. Further, the Director of Health was asked to caution small businesses and home owners against buying "fuel-less" incinerators as they will not be approved for operation after July 1, 1971."

## COMMUNITY LIGHTING PROGRAM

In an effort to deter crimes, especially burglaries which have greatly increased in Brookline during the past few years, the Selectmen instituted a public education program — "Brookline Light the Night" — which is designed to call attention to the value of more and better residential and public lighting. This program is being conducted in cooperation with the Massachusetts Council on Crime and Correction.

Since Brookline already enjoys an excellent reputation in terms of the lighting of its public ways, the main goal is to interest businessmen, individual property owners, and apartment house operators in improving lighting on private property. The cooperation of the local press has been solicited and several service organizations are expected to participate in this townwide effort. Appropriate literature urging cooperation by individual residents has been inserted in all Town water billings and bumper stickers affixed to police cars and other town vehicles. Concurrently, the Park and Recreation Commission has authorized a survey of several parks and playgrounds where assaults have taken place with a view to including funds to implement the parks segment of the lighting program in the 1971 budget.

The cooperation and participation of all citizens of the Town in this community undertaking is earnestly encouraged.

## PROTECTIVE SERVICES REPORT

The Committee appointed to review the survey report of the International Association of Chiefs of Police, Inc. and to consider the establishment of a Public Safety Department filed its recommendations with the Selectmen in December, shortly before the deadline established by Town Meeting. This Ad Hoc Committee, which was chaired by Alan R. Morse, held thirty-four meetings between May, 1969, and December, 1970, and during the course of its deliberations investigated the practices obtaining in other comparable communities, had the benefit of numerous reports made available by the office of the Executive Secretary as well as the members of the Committee itself, and interviewed representatives of the Police and Fire Departments.

The primary concern of the Committee, and the one to which it devoted most of its attention, was the International Chiefs of Police Report, 420 pages in length, submitted to the Town in November, 1968. Several of the recommendations advanced by the consultants were deemed worthy of implementation and have already been put into effect, including the following:

1. Adoption of a new Police Department organizational structure.
2. Institution of a sector system for assignment of police personnel to replace the present beat system.
3. Maintenance of annual performance evaluation records as part of the total procedure for determining promotions. Such records also provide a reference in determining disciplinary action, whenever this may be necessary.
4. Phase out, and ultimately transfer to the Police Department, the police functions of the existing Park and Recreation Commission's Parks Police Officers.

Of particular interest to all residents of the Town should be the Committee's recommendation that a total integration of police and fire services should not be effected at this time, but a Public Safety Commission should be created to study this entire subject further. Such a Commission would explore in depth the feasibility of a cooperative plan between Fire and Police for a limited geographical area of the town. The following areas were cited as examples where cooperation and integration could be instituted without interfering with the present autonomy of each of the respective departments: — inspections (fire prevention, nursing homes and convalescent homes, and lodging houses); communication systems; records processing and filing; payroll processing; allotment of uniform allowances; central Police-Fire vehicle maintenance; training facilities and equipment; and capital expenditures.

The appointment of a Public Safety Commission would eliminate the need for the position of Fire Commissioner and in the Committee's judgment would offer the following advantages: —

- (a) It would make both Police and Fire Departments responsible to a single authority, resulting in uniform policies for the two departments and in coordination of certain aspects of the work of both departments where this is deemed advisable.
- (b) It would take from the Board of Selectmen the responsibility for the appointment and promotion of members of the Police Department, as well as the responsibility for conducting disciplinary hearings. As has been frequently noted, these latter are difficult to fit into the Board's work schedule, and can be exceedingly time consuming. All of these matters would be placed at least one step beyond the reach of political pressures if they were to become the responsibility of a Public Safety Commission rather than of the Board of Selectmen.

It was the consensus of the Committee that if such a Public Safety Commission were to be established, it should not be involved with the detailed, operational problems of the Police and Fire Departments, but should be a lay body which would formulate overall policy for these departments.

The Committee on Town Organization and Structure has concurred unanimously with the Study Committee's recommendations relative to the establishment of a Public Safety Commission. The Organization and Structure Committee has long advocated the removal of Police Department administrative matters from the Board of Selectmen in order that it may devote itself to decisions involving policy formulation of long range goals and coordination among departments.

The Town owes an enormous debt of gratitude to the following outstanding citizens who served on the Protective Services Study Committee



and formulated such excellent recommendations which, when finally implemented, will certainly result in a more efficient public safety service:

Alan R. Morse, <i>Chairman</i>	
Benedict S. Alper	Leonard Kopelman
Louise M. Castle	Harry Marks
Charles J. Kickham, Jr.	Morton Myerson
Arthur A. O'Shea, <i>Fire Commissioner</i>	

## REGIONAL HEALTH SERVICES

Selectman Robert C. Cochrane, Jr., has been the Town's representative on a committee composed of public health officials in the City of Boston, State Department of Public Health, and the State Department of Mental Health, which has been exploring the concept of regionalization of public health services. This cooperative effort is aimed at combining, on a regional basis, public and private health services in Brookline and parts of Boston and grew out of the realization that health resources should be organized in a meaningful way among private and governmental agencies, and among separate neighborhoods and political and geographical jurisdictions. The primary goal of the proposed new agency, at least during the coming year, is to assess the health needs of those living in the various parts of the area and to find ways in which existing services may be organized, without unnecessary overlapping, to provide the full range of environmental and personal health services.

It is proposed to finance the activities of the Boston-Brookline Health Resources Organization, Inc., through contributions, either in the form of cash or staff services, by the two communities and two State agencies involved. During the initial year an inventory of the resources available in the area to be served will be developed and an effort made to determine what the consumer desires in the way of health services and the best means of making such services available.

## LEGAL SERVICES STUDY COMMITTEE

Because of the constantly expanding scope of legal services that the Town must furnish, particularly in the areas of collective bargaining, eminent domain proceedings, rent control litigation, and advice to newly established agencies, the Selectmen deemed it advisable to appoint a Legal Services Study Committee which could review our present procedures and submit recommendations as to the most efficient manner of organizing the Town's legal function in the future. The following were appointed to serve on this committee:

Roger B. Tyler, <i>Chairman</i>	
F. William Andres	Daniel G. Partan
Haskell Cohn	Stephen M. Weiner

Shortly after its organizational meeting, the Committee reviewed the services presently being rendered by Town Counsel; services for which outside counsel is being retained; the practices obtaining in various comparable communities with regard to their organization for legal services; and a summary of all expenditures by the Town in this category during the period 1965-1970.

It will be recalled that an earlier committee recommended that the present arrangement with a part-time Town Counsel and Special Counsel to be retained as required, be continued, although it was suggested that the time devoted by Town Counsel be increased and that a part-time Assistant Town Counsel be appointed. These recommendations have already been implemented.

It is expected that the Committee's final report will be in the hands of the Selectmen early in 1971.

## REVENUE RESOURCES COMMITTEE

In view of the obvious need to expand the Town's tax base in order to at least partially meet the constantly increasing cost of local government, the Selectmen, acting on the recommendation of the Brookline Taxpayers' Association, appointed a select Ad Hoc Committee to study the problem and work in conjunction with the Planning Board and its consultants to recommend development possibilities in various sections of the Town. In appointing this Revenue Resources Committee the Board made it clear that its efforts were not to duplicate those of official Town departments and stressed that these individuals, because of their positions in the business and industrial community, would bring a breadth of experience and vision to this important facet of Town long-range planning.

During the year the Committee met with various Town officials and became acquainted with current zoning provisions and the magnitude of the tax exempt property problem. Beyond the private development aspects of the Committee's charge, it will also consider revision of the present fee schedules for licenses and permits and the establishment of service charges in connection with various Town functions in order to defray a portion of the Town's operating costs.

Faced with the realization that the rising cost of Town Government is certain to continue, the Selectmen are confident that this Committee of leading citizens will recommend realistic proposals for future development, particularly in the main commercial areas. Currently serving on the Committee are: Ralph Rudnick, Chairman; Robert C. Berner, Elmer O. Capers, Laurence J. Donahue, Phillip Faneuil, David N. Forman, Morton R. Godine, Otto Morningstar, George Olmsted, and Roger Saunders.

## STUDY COMMISSION FOR TRAFFIC AND PARKING

As a result of the substantial increase in the degree of citizen involvement in traffic matters over the past few years, the Selectmen established a Study Commission which includes representatives of the Town Departments of Public Works, Health, Police, Fire, School, Planning and Traffic, and the following citizen members:

Robert E. Hillman, <i>Chairman</i>	
Jonathan S. Fine	Edward T. Peters
Harvey L. Pastan	Sherman G. Sass
Richard I. Feinbloom	

Meeting on the average of once a month, the Commission has sought to develop basic traffic information and issues; formulate a working and mutually trustful relationship with Town officials which could later be built upon; establish a procedure for more efficiently structuring further citizen participation in traffic matters and in formulating broad policy guidelines. Progress to date has centered about a refinement in the approach to the method of street classification for traffic purposes as originally set forth in the 1960 Comprehensive Plan for the Town. The Commission's first policy proposal goes beyond the 1960 Plan in recommending the adoption of the street classification code as an officially operative policy and calling for a Town commitment to enforce the policy decisions embodied in the code. In addition, a carefully limited procedure permitting a neighborhood to participate in consideration of its traffic problems in a more channeled and officially endorsed manner is suggested.

The Selectmen believe that the work of this Ad Hoc Commission will help immeasurably to foster an improved relationship between Town agencies concerned with traffic matters and those citizens who are particularly interested in maintaining the residential character of the Town through the institution of strict traffic controls on residential streets.

## HUMAN RELATIONS COMMISSION

Shortly after the approval of the Human Relations Commission by-law by the Attorney General, the following were appointed to serve for the period specified:

For a period of three years:

Rev. George L. Blackman	Bernard E. Edelstein
Lt. Warren H. Dalzell	Aaron M. Feuerstein

For a period of two years:

Haskell Kassler, Esq. — George J. Katz — Mrs. Shirley L. McGarry

For a period of one year:

Rt. Rev. Francis J. Sexton	Mrs. Ledonia Wright
Marshall J. Smith	Francis T. Norton



Concurrently with the appointments to the Commission, the Selectmen directed all Town departments to include in bid forms and contracts the provisions of the Affirmative Action Program by-law, which was also adopted at the Annual Town Meeting. This by-law requires all bidders on Town projects to comply with federal acts and Massachusetts statutes relative to nondiscrimination in employment and contains a certification by the bidder that he will pursue an affirmative course of action with respect to employment practices.

The Commission met several times during the fall and prepared a job description to be utilized in the recruitment program for a Director of Human Relations, which is now under way. The Commission should become fully operative in the very near future.

## APPOINTMENTS

During the year the following new appointments were made:

Arthur A. O'Shea as Fire Commissioner to fill the vacancy occasioned by the death of William H. Burke; Robert Kramer, S. Russell Sylva, and Edward T. Peters as members of the Conservation Commission to fill vacancies occasioned by the resignations of Mrs. Martin Linsky, Mrs. Morton Waldstein, and Richard J. Bertman, respectively; John E. Murphy as a member of the Park and Recreation Commission to fill the vacancy due to the death of Dr. Thomas P. Kendrick; Daniel F. Ford as a member of the Park and Recreation Commission to fill the vacancy occasioned by the resignation of F. Gregg Bemis; J. Roger Lake and Harry Olins as members of the Building Commission to replace Robert W. Stokes and Herman Snyder, respectively, who resigned during the year; Dr. Jonathan E. Fine as a member of the Advisory Council of Public Health to fill the vacancy occasioned by the resignation of Dr. Joseph Garland; and Francis J. O'Boy and Phillip S. Jackson as members of the Personnel Board to replace Francis X. Flannery and John A. Coffey, respectively, both of whom submitted their resignations during the year.

## RESOLUTION TO BENJAMIN A. TRUSTMAN

The following resolution extolling our former Town Moderator Benjamin A. Trustman was introduced by the Selectmen at the 1970 Annual Town Meeting:

### A RESOLVE TO BENJAMIN A. TRUSTMAN

WHEREAS Benjamin A. Trustman has recently completed fourteen years of service as our Town Moderator, during which time he also served as President of the Massachusetts Moderators Association and co-authored the authoritative reference work "Town Meeting Time," and

WHEREAS our former Moderator discharged the duties of his office in a manner so admirable that Brookline Town Meetings, under his guidance, were always noted for and characterized by adequate deliberation, full discussion, and a minimum of repetition by speakers on a given subject, thereby assuring the efficient disposition of Town business, and

WHEREAS he conducted his important office with fidelity, rare ability, and a conscientious devotion to the highest ideals of our democratic processes which have won for him and the Town of Brookline renown throughout the Commonwealth, and

WHEREAS in addition to being recognized nationally as an important authority in the field of town government, he has proven himself to be a man of great compassion who has served many humanitarian causes with great distinction, always holding aloft his steadfastness of purpose as a public servant, lawyer and citizen,

BE IT THEREFORE RESOLVED that we, the Town Meeting Members assembled this 24th day of March, 1970, do salute, with the townspeople of Brookline, this learned and honorable gentleman and request that this resolve become part of the Town Meeting Record to the end that we extend a sincere thank you for a job well done to Benjamin Arthur Trustman.

JUSTIN L. WYNER

Moderator

A true copy attest:

THOMAS F. LARKIN

Town Clerk

GEORGE V. BROWN, JR.

SUMNER Z. KAPLAN

ROBERT C. COCHRANE, JR.

HERBERT ABRAMS

ELEANOR MYERSON

Board of Selectmen



Former Moderator Benjamin A. Trustman Receives Plaque in  
Recognition of Fourteen Years of Outstanding Service

## STATUS OF PROJECTS VOTED AT THE 1970 ANNUAL TOWN MEETING

### *Work Shop — Storage Area*

*Larz Anderson Park (\$88,000)*

Site plans have been prepared by the Engineering Department. The Building Commission has awarded a contract to J. F. Hennessey to assist with construction drawings and specifications. These drawings and specifications were completed in the fall of 1970. Bids were received and the low bidder was \$10,000 in excess of the appropriation. The project will be rebid in the Spring of 1971.

### *Antique Auto Museum Expansion*

*Larz Anderson Park*

The attorney for the Antique Auto Museum is preparing a petition for a decree from the Probate Court seeking permission for the Selectmen to enter into an agreement in accord with the Town Meeting vote. The attorney has drawn up a bill in equity which has been presented to the Court and notices sent to all interested parties. In the near future he will prepare a final decree to be reviewed by Town Counsel and the Attorney General of the Commonwealth, following which the decree will be entered into Probate Court. Shortly thereafter negotiations will commence with the Board of Selectmen on the terms of the lease.

### *Brookline Avenue Recreation Center — Schematic Plans (\$12,000)*

The Building Commission has selected the architectural firm of Sert, Jackson & Associates. The Park & Recreation Commission has instructed the firm on the drawings required by the Commission in accordance with the agreement reached in conference with the Selectmen on June 29, 1970.

### *Main Library — Alterations and Additions (\$160,000)*

On May 12, 1970, the Library Trustees approved preliminary plans for the expansion of the Main Library. The architects have completed the working drawings and specifications for this expansion. The Library additions and alterations will be placed out to bid on March 11, 1971 in anticipation of an appropriation being requested at the 1971 Annual Town Meeting.

### *New Lincoln School — Plans and Specifications (\$200,000)*

The land was acquired on June 15, 1970. The School Committee and the Building Commission are currently interviewing architects for the design of the new Lincoln School, and it is hoped that an architect will be selected by April 1, 1971.

### *Heath, Lawrence & Runkle Schools*

*Alterations and Additions (\$117,000)*

The architects are currently meeting with the local School Planning Committees, the School Committee and Staff, with the objective of com-



pleting the working drawings and receiving bids in advance of a June, 1971 Town Meeting.

*Pierce School — Acquisition of Land (\$79,000)*

The land was acquired April 13, 1970. The Housing Authority and Redevelopment Authority have been working on the relocation of the families and businesses within the Pierce School area, and at this writing only one business remains on the site. It is expected that the entire land area will be available for the contractor by May 1, 1971.

*Fire Detection Devices — School Buildings (\$70,000)*

The School Committee awarded the contract for High School Sprinkler System and other fire safety devices on June 15, 1970. This work is to be completed by the summer of 1971.

*High School Library — Repair of Fire Damage (\$500,000)*

The repair of the fire damage to the High School Library has been completed and the School Committee plans to have the dedication of the new Library in March, 1971.

*Highway Construction Program — Chapter 90 (\$94,600)*

The construction of South Street has been completed, while the construction of Tappan Street has been deferred pending H.U.D. approval of the Washington Square Code Enforcement Program.

*Accelerated Highway Program — (Ch. 768 Acts of 1969) (\$290,875.44)*

Under this section various contracts were prepared and executed for roadway maintenance projects including crack sealing, patching and seal-coating by the Slurry Seal method and resurfacing. Approximately \$250,000 was expended on projects outside the Coolidge Corner code enforcement area and an additional \$40,000 was expended on reconstruction projects within the Code Area. The final phase of the work to be done under this program will be completed in 1971.

*Construction of Water Mains (\$260,000)*

The contract with Joseph Capone and Susi & Di Mascio for \$179,736.00 is 80% complete and will be finished early in the Spring. Design work is presently underway on the next contract in the series of improvements programmed under this article.

*Replacement of Drains —*

*Marion Street, Osborne Road and Naples Road (\$69,000)*

This drain work was scheduled as a part of the street reconstruction contracts. The total cost of this drain work amounted to \$25,147.74 of the \$69,000 appropriated and the Public Works Department has instructed the Comptroller to close out to Surplus Revenue the sum of \$43,852.26.

# Report of the Executive Secretary

RICHARD T. LEARY  
*Executive Secretary*

Complying with the vote of Town Meeting, I respectfully submit this, my second report on the activities of the Executive Secretary. At the outset of this report, which will deal primarily with fiscal matters, I would like to outline some of the changes that have taken place in the Town's organization since our system of municipal administration was adopted almost 30 years ago.

In all towns of the Commonwealth, the executive power is ostensibly vested in the Board of Selectmen. Yet, in many of these towns you will frequently find that the voters elect several boards and officials who can reasonably claim a separate mandate from the voters. Whatever the particular pattern of elected officials in the community's local government, there are few towns which can favorably measure up to Brookline's standard of consolidated executive power.

Several major administrative and organizational developments have occurred since Brookline adopted the so-called "Selectmen — Executive Secretary" form of administration in 1942. At that time the town government was a highly decentralized operation with most boards and commissions elected rather than appointed by and under the control of the Selectmen. We began to overcome the more or less autonomous operation of these departments in 1958 when the Town Meeting accepted enabling legislation which authorized the Selectmen to appoint the members of the Planning Board and in 1960 when legislative authorization was likewise granted to appoint the Park Commissioners and the Tree Planting Committee. The decade of the 1960's saw many town agencies reorganized and the beginning of a trend which has accelerated in recent years to add several new departments. This was inevitable as town government became increasingly complex and demands for additional services multiplied. Town Meeting in 1961 voted that the Board of Assessors should henceforth be appointed by the Selectmen. Early in 1963 the General Court approved legislation providing for the creation of a Department of Public Works and the consolidation of the Park and Recreation Commissions. The appointment of the Town's first full-time assessor was effected in 1965, shortly before the revaluation study commenced. The Conservation Commission, immediately upon its establishment in 1966, began to review projects affecting the Town's natural resources and to make recommendations to enhance and expand the community's physical assets. A Town Planning Department came into being on July 1, 1968, replacing the former arrangement whereby a professional consultant firm provided planning services to the Planning Board under

contract. Later in that year, the Selectmen appointed a Director of Traffic and Parking, acknowledging that the Town's traffic problems had reached a critical point and could no longer be dealt with by a part-time Traffic Commission.

As the ten-year period neared its close, changing patterns of urban life and the concentration of student population within the limits of the Town further challenged our organizational structure and finally resulted in the acceptance of legislation authorizing the establishment of a Rent Control Board to cope with the problem of sharply increased rentals. Further responses to problems in the social area were reflected in the decisions taken in 1969 and 1970 to institute a youth services program under the auspices of the Youth Resources Council and to appoint a Human Relations Commission for the purpose of implementing the recommendations of the Kerner Commission Report that may pertain to the Town.

All of the above is certainly demonstrative of the Town's concern in this everchanging world that the social welfare of the citizens of our community is given equal, if not more consideration than the day-to-day problems of governmental functions and services. As new problems arose, Brookline, in the pioneering spirit that has been traditional, acted to meet the demands of the times.

From an administrator's standpoint, however, these ever increasing demands for the broadening or extension of municipal services raise some difficult, and, at the same time, rather fundamental questions. As the number of town departments reporting directly to the Selectmen has greatly expanded, particularly in recent years, the whole matter of "span of control" has reached rather serious proportions. If you consider that at the present time centralization of town government has reached the point where there are some 20 operating agencies responsible to the Board of Selectmen, plus 7 Boards and Commissions such as the Planning Board, Building Commission, Personnel Board, etc., the magnitude of the problem becomes evident.

A quarter of a century ago many of these services were not contemplated to the extent existing today, but they now have been added to the traditional functions of local government. While newer services have been provided, at the same time older ones have been enlarged and both are growing at the local level. This proliferation of official town departments over a rather brief period of time has been augmented by the creation of numerous Study Committees, also under the Selectmen's jurisdiction. The following ad hoc groups are presently operative: (1) Legal Services Study Committee; (2) Study Commission on Traffic and Parking; (3) Revenue Resources Study Committee; and (4) Coolidge Corner — Beacon Street Development Committee.

The foregoing is important to note principally because the time has arrived to realize that decentralization is no longer the problem in Brookline.



Departments do not operate with the amount of autonomy that characterized their function 10-15 years ago and the Board of Selectmen, operating on a day-to-day basis through its administrative staff, is indeed the coordinating vehicle for their various activities. Given the number of departments, boards and committees that require periodic attention, the time is not far distant when further consolidations must be sought in the interest of administrative efficiency. Areas that immediately come to mind are public safety, and the question of establishing a Public Safety Commission to administer the Police and Fire Departments is now under consideration; code enforcement, where a great deal of overlapping and duplication currently exists; planning and urban development, which necessarily must include publicly assisted housing; the entire spectrum of municipal finance and the data processing system which is steadily expanding; and finally, those agencies whose responsibilities center around social and human relations problems.

### *Effective Budgetary Control Brightens Fiscal Outlook*

As indicated in the introduction to the Selectmen's Annual Report, many hours were devoted during 1970 to consideration of ways and means by which the Town could avert another substantial increase in the tax rate.

Following announcement of the 1970 tax rate of \$59 by the Board of Assessors in July, the Selectmen were inundated with letters of protest and concern at the rising cost of town government. At that time it was clearly stated that stringent action would be taken to forestall the prospect of a similar situation arising in 1971. Since a major element in the annual amount to be raised by taxation is the general operating budget, the Executive Secretary advised all Town Departments that the following restrictions would govern expenditure policy for the last four months of 1970: (1) departments would be expected to complete the year within authorized appropriation levels and without recourse to the Reserve Fund unless a serious emergency situation should arise; (2) positions currently vacant or becoming so between September 1 and December 31 would be reviewed by the Executive Secretary and justification of their essentiality insisted upon before requisitions for replacements were processed; (3) overtime payments for the balance of the year were to be kept to an absolute minimum; (4) requests for the purchase of capital equipment items in addition to or in replacement of those specified in the original budget estimates would not be favorably considered — it was felt that such purchases could well be deferred until 1971. At the same time, the attention of all departments was directed to a previous memorandum of the Executive Secretary which sets forth the policy with respect to the "carry-over" of appropriations from one year to the next. In this regard, departments were notified that all accounts would be closed out to the Treasury on December 31 unless there existed on that date an encumbered purchase order on which delivery was awaited.

The primary objective of the foregoing directives was to enhance our fiscal position at the beginning of 1971 through the addition of a substantial sum to the Surplus Revenue or "Free Cash" account. In this connection I am pleased to note that the State Director of Accounts certified "Free Cash" for Brookline on January 1, 1971 of \$1,448,214. The full significance of these funds, a substantial portion of which can be applied against the 1971 tax rate, can best be realized by reviewing the amounts that were certified in prior years:

1967	\$374,714
1968	524,793
1969	NONE
1970	502,579

With regard to the departmental operating budgets for 1971, the examination by the Executive Secretary and the Selectmen's review were carried out with the stated objective of keeping all budgets at a minimum level without impairing essential services. For the first time a firm budget guideline was established, and it was indicated to all Town Departments that an increase of 0-3% over 1970 appropriations would constitute an acceptable "range of tolerance." Between the Executive Secretary's review of preliminary estimates in October and action taken by the Selectmen at the budget hearings early in February, a total of approximately \$800,000 was extracted from the departmental budgets. This policy of establishing operating budget limitations, similar to the action taken this year in connection with the Capital Improvement Program, will undoubtedly be continued in the ensuing years. Beginning in 1971, it will be supplemented by the institution of a modified "no-hire" policy whereby permanent positions will not be filled unless, following a detailed analysis of same by the Personnel Board and the Executive Secretary, the determination is made that efficient departmental operations necessitate the employment of replacement personnel.

Since personnel costs account for approximately 70% of the town's operating budget, you will be interested in the trend in the total number of permanent employees as noted in Figure No. 1. The number of employees in departments other than the School Department for the years 1960-1970 increased from 830 to 866, whereas the number of School Department employees has increased from 540 to 776 in the same period. Factors which should be borne in mind when considering these statistics include (1) the number of new town agencies created in recent years, (2) reduction in the Fire Department work week from 48 to 42 hours, (3) State assumption of public welfare, and (4) transfer of the school library program to the budget of the School Committee.

Despite this sizeable accomplishment in reducing budgetary requests to the lowest point possible, the demands for more and expanded governmental services and the general inflationary spiral seem certain to continue. However, the foregoing measures reflect a deep awareness on the part of the

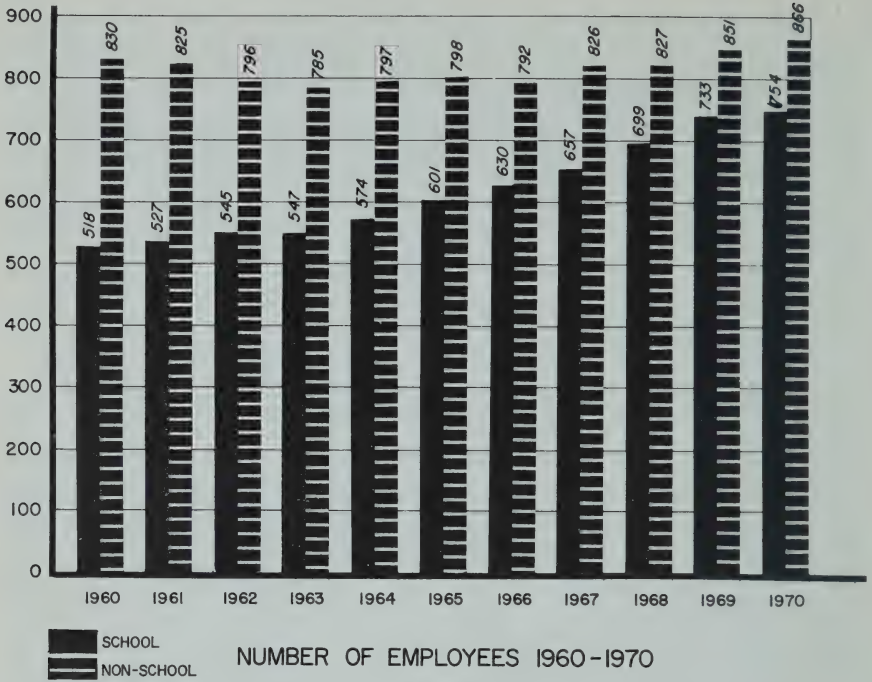


FIGURE 1

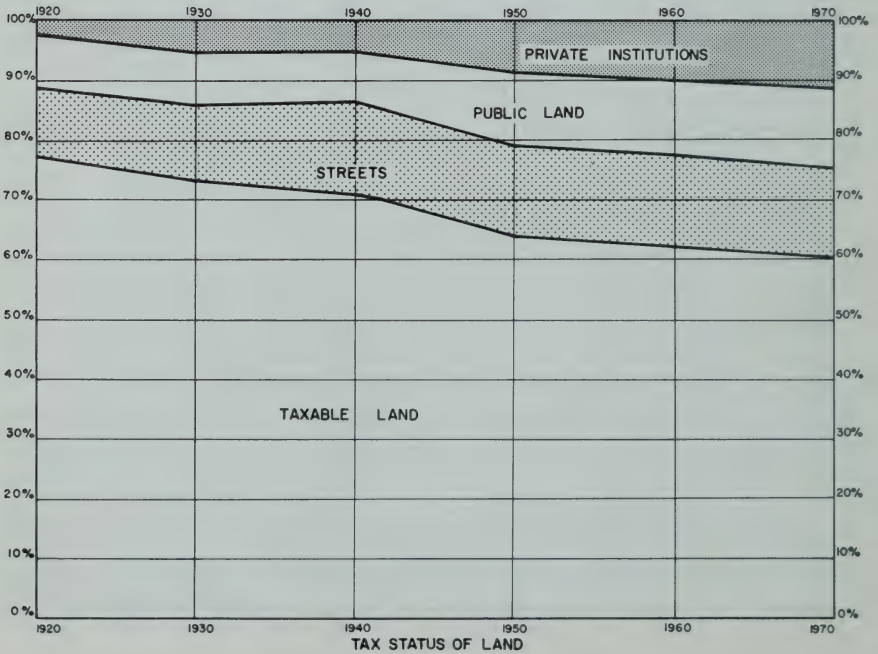


FIGURE 2



Town's administrative officials of our present fiscal situation, and are illustrative of the examining attention which all spending proposals will receive in the future.

Everyone recognizes that the fiscal trends which have been reflected in a constantly increasing tax rate since the mid-1960's, and which are further aggravated by inflationary factors, cannot be alleviated without a proportionate strengthening of our tax base. Our community is slightly over six square miles and, as Figure No. 2 indicates, approximately 40% of our land area is out of taxation for parks, schools, churches, public buildings, and charitable institutions. Thus 60% of the land area is carrying the total tax burden of the Town. We must strive from here on out to get the maximum return from every square foot of land developed in order to maintain the high standard of our schools and governmental services. The only alternative is a continuing rise in the tax rate.

#### *Preparation of the Capital Improvement Program*

The Annual Report of the Board of Selectmen summarizes quite completely the actions taken by the Board during the latter half of 1970 with respect to the establishment of priorities for capital projects and the setting of an overall fiscal limitation to stabilize the impact of the several projects. Leading up to the decisions of the Planning Board and the Selectmen in this matter of far-reaching importance, a great deal of staff time, study, and analysis was devoted to the formulation of the specific program which was ultimately adopted.

In order to gain some understanding concerning the capital improvement program for the Town, one should be aware of the capital budgeting procedure that has been in effect in our community for the past dozen years or so. Actually, it was not until the late 1950's when the Town undertook a comprehensive planning study that the idea of a Capital Improvement Program as we know it today was presented. During the past decade the Town has been able to finance with relative ease the Capital Improvement Program as compiled each year by the Planning Board. Requests for funds for new facilities were made at a moderate pace during this period. Concomitantly, from 1960-1967 the Town's tax base experienced an increase of 29.3%, with an increase of 13.6% in one year — 1962. Over the same span the tax rate remained rather stable, in the \$50-\$55 range, until with moderate increases it reached a peak of \$65 under the old valuation basis in 1967. From 1950-1969 the Town bonded approximately \$1 million each year with the exception of 1962 when \$3.5 million in bonds was issued principally to finance construction of the Town Hall and Police Headquarters.

However, in light of the \$17.50 tax rate increase between 1968-1970 (on the new, full valuation basis), the decline in state revenues, the lack of growth of the Town's tax base (2.8%), and the accelerated demand for new facilities, the Board of Selectmen was compelled to reconsider its role and that of the Planning Board with respect to the development of our long-range Capital Improvement Program. Accordingly, the administrative and

planning staffs proceeded to develop general fiscal guidelines and, with the cooperation of all department heads, boards and commissions, to prepare a schedule of contemplated improvements based upon priorities. In this way the requirements of the various departments would be maintained in balance with the fiscal capacity of the Town, having in mind, however, that the Town Meeting is the final arbiter in determining just which projects should be advanced and approved.

The initial staff recommendation of an outside limit of approximately \$18 million to be expended for capital improvements over the next six years was arrived at after consideration of several factors. First, it was felt that the Town as a matter of fiscal policy should allocate approximately 10% of its current operating budget to payments for debt service. The 10% criteria was decided upon in order to fund the existing debt service obligations and at the same time provide for additional borrowings. A survey of other comparable communities in the Commonwealth revealed that the recommended allocation of budget funds for debt service was consistent with the practices obtaining in these jurisdictions. In this regard, it is important to note that in recent years municipalities throughout the country have modified this percentage downward to reflect the growth and increase in cost of ongoing municipal services. In addition to the annual appropriation for principal and interest payments on long-term debt, the staff also recommended that a maximum of \$1 million be expended each year in tax revenue. This recommendation was advanced in order that smaller projects for which borrowing is not economically feasible could be implemented concurrently with major building programs. Secondly, the staff took into account the fact that the Town's appropriation for debt service in 1970 was slightly over \$1 million and that additional bonds totaling \$8,578,000 had been authorized and would start to become due in 1971 when the estimated appropriation for debt service would be above \$2.1 million. These bond issues, reflecting the cost of the New Pierce School and the underground parking facility in connection therewith, water main improvements, and the sewer and drain separation program, would result in the Town approaching to within \$400,000 of the \$2.5 million suggested as a reasonable guideline for capital budgeting purposes. In light of the impact of these projects upon the Town's debt structure, the staff recommended that a maximum of \$11-12 million be bonded over the next six years which, combined with the suggested tax revenue appropriations referred to above, would meet the \$18 million limitation tentatively adopted by the Selectmen last November.

Although towns in Massachusetts may incur debt up to a maximum of 10% of the community's equalized valuation with the approval of the Emergency Finance Board, cities are restricted to a 5% debt limit provision. In practically every respect, and particularly for purposes of municipal finance, Brookline should be regarded in the same category as cities with populations in the 50,000-100,000 range. On this basis, the Town's present

outstanding debt of \$15.3 million is rapidly approaching the statutory debt limit of 5% of equalized valuation which applies to comparable municipalities. Additionally, it is vital that the Town maintain its credit rating which guarantees the best interest rate possible at the time that bonds are sold. To do so it must be demonstrated to the bond rating people that the Town is operating in a totally controlled fiscal posture, that new debt is authorized in accordance with a capital program consistent with our ability to pay, and that planning and management are an integral part of our day-to-day operation. There are but five communities in the Commonwealth enjoying this "money saving" AAA rating and we must do all in our power to retain it. Such a rating, the highest obtainable, is important in connection with short-term borrowings which are required to finance the Town's day-to-day operations pending receipt of tax revenue. It is not unusual for the Town to borrow in excess of \$7 million each year in anticipation of revenue; thus, the loss of our present excellent credit rating could add substantially to the interest payments which the Town would be obliged to make on both long-term and short-term obligations.

There is no question but that adoption of the original departmental requests for capital appropriations would have created an irregular debt structure for the Town and seriously jeopardized its financial stability. The proposals which the staff made to the Planning Board and the Board of Selectmen were predicated on the need to arrange our municipal borrowings so that (1) there will be no pronounced irregularities in debt service from year to year to cause gyrations in the tax levy, and (2) there will be a progressively downward trend in the annual principal and interest requirements which will make room for new borrowings without pyramiding debt service costs.

This new approach to capital budgeting which was undertaken during the past year has met with almost unanimous acceptance and will undoubtedly be followed as a regular procedure in the future. It places the ultimate responsibility for establishing fiscal guidelines in the chief administrative body of the Town — the Board of Selectmen — but does not preclude any town agency from appealing the Selectmen's decision to Town Meeting which must consider and approve all special article appropriations.

#### *Revenue Sharing — Prospects for Federal and State Financial Assistance*

Perhaps no subject has received greater publicity and discussion in recent months than the revenue sharing proposal that President Nixon filed with Congress early in 1971. "Revenue sharing" has been the key phrase whenever organizations of state and municipal officials meet to consider common problems. At the Annual Congress of Cities held in Atlanta in December, speaker after speaker reiterated the theme that a plan for sharing revenue with municipalities with no strings attached should be approved and implemented in 1971. Moreover, municipal administrators generally believe that the multitude of guidelines, rules and regulations that now



surround federal grant programs give the illusion that federal policy makers now exercise effective program control over the present system of traditional grants, but the size and complexity of the current \$28 billion categorical aid system with its 500 different programs certainly defies effective Presidential and Congressional oversight. One of the objectives sought is to correct the current revenue imbalance through a general federal revenue sharing program that would permit state and local governments limited access to the federal personal income tax with decision making decentralized among the states and their subordinate jurisdictions.

President Nixon's general revenue sharing proposal would automatically distribute an amount equal to 1.3% of the federal individual income tax base to states and local governments, with each getting a specified proportion of the total to spend generally as each wishes. Beginning with \$5 billion in fiscal 1972, it would grow proportionately as the tax base increased from year to year. State governments would receive approximately 48% of the total, with cities, towns, counties and special districts receiving direct allocations for the other 52%. Under this formula the Commonwealth of Massachusetts would receive approximately \$130 million, and therefore cities and towns would participate to the extent of \$65-70 million. For Brookline, it is estimated that the local share would total some \$925,000, which sum represents about \$2.00 on the tax rate. While this federal assistance would be most welcome in view of our present financial plight, its prospects cannot be considered too favorable since the final word on this major tax and revenue legislation will undoubtedly come from the Chairman of the House Ways and Means Committee who has already indicated that he favors another method of assisting the states and localities. Furthermore, at the present time there appears to be little inclination in Congress to implement the idea of sending back to state and local governments with no strings attached a portion of federal revenue.

At the state level, H.5090, legislation filed by Governor Sargent which would provide over \$144 million in local property tax relief for calendar year 1971, passed the House of Representatives and State Senate in modified form and at this writing a Joint Conference Committee is attempting to reconcile differences in the proposed sources of funding. This plan of assistance is partly based on the recommendations of the Master Tax Plan Commission and would raise the additional revenue required through (1) a higher state income tax rate, (2) broadening the sales tax base and extending its coverage, and (3) increasing certain excise taxes. Thus, the program would in effect shift the overall tax burden from the property owner to the consumer.

The major elements of additional financial aid to cities and towns under the Governor's program are the proposals to assume the cost of county government and the charge which the M.D.C. levies on communities in the metropolitan district for the operation and maintenance of the M.D.C. park system. This tax relief program, if passed as submitted by the Governor with

no reduction in the estimated revenue to be derived therefrom, would assure Brookline of a savings of at least \$1.4 million, since our 1970 assessments for the county tax and the metropolitan park system approximated that amount. More important, perhaps, it would reflect a reversal of the state-local fiscal trend of recent years whereby our allocation of state revenues has declined substantially — see Figure No. 3. Such a reduction in the amount to be raised on the 1971 tax levy would have the effect of reducing the tax rate by at least three dollars, and coupled with the allocation of a substantial portion of our “Free Cash” surplus referred to above, would help greatly the effort to stabilize the tax rate situation in the Town.

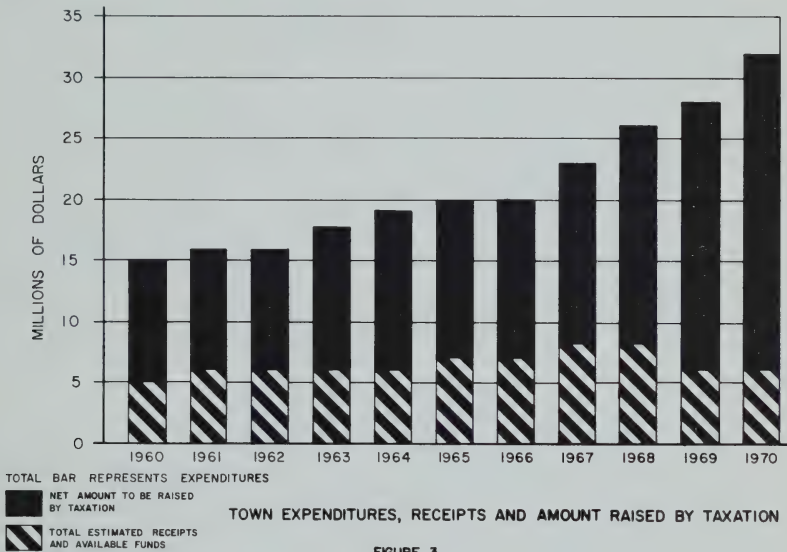


FIGURE 3

### Employee Safety Program

One of the many Town-wide activities administered in the Selectmen's Office is a comprehensive employee safety program. Accident prevention is an important function that serves to control workmen's compensation costs and employee time lost from work as well as to prevent pain and suffering to employees as the result of on-the-job accidents. In 1965 the Town contracted with Liberty Mutual Insurance Company to assist in the safety program by providing a professional safety inspection or loss prevention service and a claims investigation and administration service.

The loss prevention service provides for periodic inspections of Town facilities and work processes by a trained safety engineer. Potential hazards are thereby uncovered and promptly eliminated. In addition, the safety engineer analyzes the Town's accident experience at least annually and develops suitable presentations aimed at high frequency accident causes, such as demonstrations of correct lifting techniques to reduce back injuries for

use at employee training sessions. Safety posters and other literature are also made available for our use through this service.

The claims investigation and administration service provides for impartial investigation of all compensable accidents by an experienced investigator and for the determination and disbursement of all medical and compensation payments due to employees under the Workmen's Compensation Law. Should hearings before the Industrial Accident Board on doubtful cases be necessary, Liberty Mutual's Law Department prepares and presents the Town's case.

In addition to the functions performed by Liberty Mutual and the daily attention to accident prevention by supervisors, the safety program has been augmented this year by the development of an accident investigation procedure for supervisors and the formation of an employee-safety committee. These endeavors are designed to instill a greater awareness in all employees that accidents have causes and that most can be prevented. Both approaches show promise and it is hoped that they will assist in reducing even further the low frequency rate of compensable accidents.

Our experience with Liberty Mutual over the past five years has been very satisfactory. The Town's actual incurred Workmen's Compensation losses continue to be less than expected, a fact which reflects the positive effect of Liberty Mutual's work as well as the continuing attention to accident prevention by department heads and other supervisory personnel.

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As indicated earlier in this combined report, the staff of the Selectmen's Office was engaged to a considerable extent during the year in servicing the requirements of the Protective Services Study Committee, the Legal Services Study Committee, and the Revenue Resources Committee. Many hours were spent in reducing the voluminous material which accumulated during the deliberations of the Protective Services Study Committee into a manageable format for publication as the Committee's final report. In addition, the administrative staff was called upon to assist the Rent Control Board, the Human Relations Commission and the Division of Youth Resources through the organizational process and we will continue to work closely with these new agencies until they are able to function as self-supporting units of town government.

Very close contact has been maintained with individual department heads on a day-to-day basis, and with all department heads at periodic meetings which are held for discussion of problems involving more than one department and relating to such matters as collective bargaining, plant security, data processing, purchasing procedures, disposal of old records, and capital expenditures.

During the coming months it is proposed to give close attention once again to the field of research and analysis, with particular emphasis on the following areas: (1) centralized maintenance of town vehicles and public



buildings; (2) consolidation of departmental bulletins and reports; (3) central telephone survey; (4) office space requirements; and (5) preparation for the new fiscal year system and its budgeting implications.

The Selectmen's Office continues to exercise general administrative supervision over the federally assisted Code Enforcement program and we are pleased to report that in addition to the \$2,241,916 federal grant obtained for code enforcement purposes in the Washington Square area, town grant applications have been approved by the Department of Housing and Urban Development in the amount of \$109,311 for the proposed expansion of the Brook Street playground and for \$20,661 to finance the purchase of certain items of police equipment.

We are moving forward with respect to the development of a program-type budget but because of the need to thoroughly orient department heads and other staff personnel in the program budget process the implementation of this new budget concept will be restricted at the outset to the larger Town departments. The experience of other communities and agencies at the state and federal levels has demonstrated that the probability of a program or activity budget's ultimate success is heavily dependent upon adequate advance preparation and study — a long lead time is definitely required. It is our intention, therefore, to limit the new system at first to five or six departments which readily lend themselves to program planning and to collaborate with them during the year ahead in an experimentation and refinement of technique process prior to actual implementation. The Departments of Public Works, Park and Recreation, Public Health, and Police have already completed much of the basic work involved in converting from the traditional line-item budget to a program-type budget. Such an approach, by providing a period during which program structures which are workable and usable can be intelligently defined, should help to limit much of the confusion which usually accompanies the transition to a program budget.

We must again emphasize the necessity of obtaining highly skilled professional department heads if we are to maintain the high standards of service which Brookline has traditionally enjoyed. As my predecessor stressed so strongly in the past, town service must be made attractive to skilled personnel at the higher levels, and to that end we should remain dedicated to the proposition that our salary structure must be competitive with private industries, and opportunities for systematic advancement and greater fulfillment in terms of career development made available. Such a course is imperative as the administration of local government becomes more complex and challenging, particularly because of the various social changes that are being effected. The executive and department heads of the future must possess more than uncompromising integrity and dedication to a high standard of performance; they must have a breadth of knowledge and sophisticated understanding of urban society far greater than those who preceded them.



## SUITS PENDING — 1970

Stephen W. Anderson vs. Patrick J. McDonagh  
 Stephen Augustus vs. Brookline  
 Lillian Blau and Fred G. Blau vs. Brookline  
 Bob Ware's Food Shops, Inc. vs. Brookline  
 City of Boston vs. Robert Q. Crane et al  
 Frances Brightman vs. Brookline  
 Brookline vs. Canter Construction Company and Travelers Indemnity Co.  
 Brookline vs. Daniel O'Leary  
 Brookline vs. Duncan McKenzie  
 Allan R. Campbell vs. James J. Connolly  
 Lillian Cohen vs. Brookline  
 Ernst Cohn vs. Brookline and R. H. White Construction Co., Inc.  
 Crown Silver Company, Inc. vs. Brookline  
 Richard A. Cugini vs. Brookline  
 John Doherty vs. Charles Newhall, Trustee and Brookline  
 Rose Lucy Eigen vs. Brookline  
 Epsilon Theta Chapter of Sigma Nu, Inc. vs. Kenneth B. Bond, et als  
 John Finnerty vs. Brookline  
 Josephine Fontana vs. Oscar B. Lee  
 Sylvia Freed vs. Brookline  
 Herman H. Fritz vs. Brookline, Sadie Bunshoft and Abraham Bunshoft  
 Harry Furman, et al vs. Brookline  
 Lippman H. Geronimus et ux vs. Bond et als vs. Kenneth Bond et als and  
     William Connaughton  
 Rose Gerstein vs. Brookline  
 Alfred H. Goldstein vs. Brookline  
 Paul Goodman and Sophie C. Goodman vs. Brookline  
 Margaret E. Hart vs. E. C. Merritt (water department)  
 Herlihy Bros., Inc. vs. Patrick Cavanaugh  
 Highway Leasing Company, Inc. vs. City of Boston, Town of Brookline and  
     Old Colony Construction Co. of Quincy  
 Ruth Holmstock vs. Brookline  
 Harry A. Johnson vs. Brookline  
 Helen I. Kennedy vs. Brookline  
 Thomas E. Lake vs. Daniel W. Warren  
 James Lawrence, Jr., et als vs. Kenneth Bond, et als  
 Charles Leavitt vs. Georgian Realty Co., First Parish in Waltham,  
     Universalist Unitarian Inc. & Brookline  
 Eldon L. Levine and Lois Levine vs. Brookline and John Heiskri  
 Milton Lewis and Ralph E. Brown vs. City of Boston, Brookline,  
     Old Colony Construction Co. of Quincy  
 Isidore M. Libman and Sophie Libman vs. Brookline  
 Paul Madden vs. Brookline  
 Alexander Mason and Anne G. Mason vs. Kenneth B. Bond et als  
     Board of Appeals  
 F. W. Massell Co. vs. James P. Riley, et als  
 Ruth Meyer and Fred Meyer vs. Brookline  
 Ellen Miller vs. Brookline, Georgian Realty Co., First Parish in  
     Waltham — Universalist Unitarian, Inc.  
 Melvin B. Miller vs. William E. Mason  
 Paul DeCamp Moffet vs. Brookline  
 Elsie R. Murphy vs. Brookline  
 Donna McManus p.p.s. Daniel McManus vs. Brookline



Adelaide G. McSweeney vs. Brookline  
 Adelaide G. McSweeney vs. Robert Watson  
 Robert C. Nordblom, et als vs. Kenneth B. Bond, et als  
 Daniel C. O'Leary vs. Brookline and John H. Doolan  
 Robert J. O'Leary vs. Town of Brookline  
 Roberta Posner vs. Brookline  
 Donald Race vs. Brookline  
 George M. Resneck and Sara F. Resneck vs. Francis Marnell  
 Sonia Robbins vs. Brookline  
 Samuel Rosen and Ruth S. Rosen vs. Kenneth B. Bond, et als and  
     Brookline Housing Authority  
 Gertrude Rosenthal vs. John M. McCarthy  
 Eleanor Rossi vs. Brookline and George B. Murray  
 George Rowlings and George Landon, Trustees under will of  
     Margaret Cogswell vs. Brookline  
 Nancy Rubackin vs. Brookline  
 Louis Rubenstein and Lester Delaney vs. Bond et als B/A and  
     Isadore Schwartz  
 Flora Rudnick vs. Brookline  
 H. Sacks & Sons, Inc. vs. Brookline  
 Eleanore M. Scott vs. Robert C. Robinson  
 Lawrence Seniboldi vs. Brookline  
 John Sexton and Elizabeth Sexton and Morton Davidson and  
     Elizabeth Davidson vs. Old Colony Construction Co. of Quincy,  
     City of Boston, Brookline  
 John E. Sheehan vs. Arthur J. Shinnars, Clerk of Brookline and  
     Joseph W. Kenney  
 Bessie R. Sher vs. Brookline  
 Doris Shutzer vs. Brookline  
 Maurice Z. Slater, Trustee of State Realty Trust vs. Bond, et als  
 Robert J. Stewart vs. Harold Kravit, et als  
 Alan G. Zuker vs. Brookline

## SUITS SETTLED OR TERMINATED — 1970

Arthur Apt vs. Brookline. Norfolk Superior. Tort action for personal injuries alleged to have resulted from fall on golf course on July 10, 1965 due to negligence of town. Settled for \$600 during trial.

Betty Aronson vs. Brookline. Norfolk Superior. Action for damages alleged to have resulted from fall on defective way on May 2, 1966 on Beaconfield Rd. Settled for \$1,000 during trial.

\*Beverly A. Belben vs. John J. Pignato. Brookline Small Claims. Action to recover damage to car alleged to have resulted from a collision with Town vehicle on June 18, 1969, near 1212 Boylston Street, Brookline. Ad Damnum \$215.70. Settled for \$150.

\*Beth Israel Hospital vs. Brookline. Boston Municipal. Action to recover hospital and medical services allegedly rendered to Anthony Nardone, a Jamaica Plain resident arrested in Brookline and taken to hospital by Brookline Police. Ad Damnum \$400. After trial, judgment for defendant.

Jeanne E. Binns vs. Brookline. Norfolk Superior. Action for damages alleged to have resulted from a fall on a defective sidewalk in front of 404A Harvard St. on April 1, 1969. Plaintiff non-suited.

*Joseph M. Binns vs. Brookline & Lawrence J. Collins.* Norfolk Superior. Petition to recover \$3,338.35 alleged to be owed by Welfare Dept. by reason of increase in payments ordered December 14, 1965 for special diet by appeals division of State Dept. of Public Welfare — claiming payments for a retroactive period December 1, 1962 to September 8, 1965. After trial, petition denied.

*Helene V. Brenner vs. Francis S. MacCormick.* Norfolk Superior. Tort action for personal injuries alleged to have been caused by Town truck on April 15, 1964 in parking lot back of 67 Babcock Street. Settled for \$100.

*Brookline vs. Francis J. A. McMahon.* Boston Municipal (Small Claims). Action to recover money spent by Town to demolish a structure adjudged dilapidated and a nuisance located at 65 White Place, Brookline. Judgment for Town for \$207.20.

*Brookline vs. Metropolitan District Commission.* Suffolk Superior. Petition for writ of certiorari to review orders of taking by eminent domain of lands in Riverdale Park and to quash said orders on ground that beyond power and jurisdiction of M.D.C. Case reported to Supreme Judicial Court. Decision — order of taking quashed.

*Brookline vs. Metropolitan District Commission.* Suffolk Superior. Bill in equity to enjoin M.D.C. from taking possession or control of lands purportedly taken by eminent domain by orders dated March 20, 1960 in Riverdale Park. Case reported to Supreme Judicial Court. Decision: Declaration to be made that order of taking is invalid and defendant to be enjoined in accordance with prayers of bill.

*Richard A. Cole vs. Chevway Corporation, Brookline and William A. Jones.* Norfolk Superior. Tort action for damages (personal injury and property damage) alleged to have resulted from defective condition of Woodland Road on September 22, 1967. Town impleaded Charles Contracting Inc. and Fidelity & Deposit Co. of Maryland. Charles Contracting Co., Inc. impleads Town, Chevway Corporation, William J. Jones and William A. Jones Research Corp. Claims against Town settled for \$500.

*Arthur E. Cushing vs. Charles F. Rowley, indiv. & as Fire Commissioner & Matthew S. McNeilly, Treasurer.* Norfolk Superior. Petition for Declaratory Judgment — to obtain leave of absence with pay and compensation from July 3, 1957 under G.L.c. 41s 111f — alleged incapacity from duty as fire fighter arising from performance of duties. Ptf. non-suited. Judgment for defendants for costs. Petition to vacate Judgment Dismissed.

*Max Ellis vs. James J. Connolly.* Brookline Municipal. Action for damage to auto which was in collision with town vehicle operated by defendant on 11/17/67 on Washington Street at Davis Ave. Settled for \$75.00.

*Natalie R. Finesinger vs. Charles A. Newhall and Robert Stewart.* Norfolk Superior. Proceeding to enjoin Building Commissioner from issuing permit to demolish building at 16 Parkman Street. Dismissed.

*Lawrence T. Fredericks vs. Robert W. Taylor, Fire Commissioner, Mabel A. Campbell — Civil Service Commissioner.* Suffolk Superior. Mandamus petition to restore petitioner to civil service status and employment. Demurrer sustained. Judgment for defendants.

*Lawrence T. Fredericks vs. Robert W. Taylor, Fire Commissioner, Mabel Campbell and Civil Service Commissioner.* Boston Municipal. Petition to review action of Fire Commissioner and Civil Service Commission in discharging petitioner as Firefighter. After trial, decisions affirmed.

*Elizabeth Garfinkle vs. Town of Brookline.* Brookline Municipal. Action to recover damages resulting from alleged fall on defective sidewalk on Netherlands Road at Aspinwall Ave. on 11/27/68. After trial, finding in favor of Town.

*Miriam Glaser vs. Joseph Hartnett.* Brookline Municipal. Tort action for alleged damage to building at 190-200 Washington Street by defendant (town employee) operating a sidewalk tractor on January 26, 1965. Case dismissed on motion of defendant.

*\*Alan K. Glick vs. John Bellingham.* West Roxbury District. Tort action for personal injuries alleged to have resulted from collision with Town truck on December 16, 1969 at intersection at Winchester Street and Atherton Road. Settled for \$400. Ad Damnum \$1,900.00.

*\*Mary Gorman vs. Brookline and V. Scardino Construction Co. Inc.* Brookline Municipal. Action to recover damages for injury alleged to have resulted from fall on a defective sidewalk at 260 Summit Ave. on 10/6/69. Contractor impleaded. Plaintiff settled with contractor and case dismissed.

*\*Etta Grant and Benjamin Grant vs. Brookline.* Brookline Municipal. Action to recover damages for injuries from fall on sidewalk at 54 Dwight Street on 7/24/69. Settled for \$1,500.00.

*Michael S. Griffin, ppa father John G. vs. Brookline.* Brookline Municipal. Action to recover damages for injuries at Clark Playground on 7/16/69 alleged to have been caused by an employee of town. After trial, judgment in favor of Town.

*Mark A. Grund vs. Brookline and J. J. Lynch.* Boston Municipal. Action to recover personal injuries and property damage alleged to have been caused by collision of vehicle with town vehicle on 3/5/69 at High and Cypress Streets. After trial, judgment for plaintiff for \$898.93. Exon. paid.

*Rose Kantor vs. First National Stores Inc. & Brookline.* Norfolk Superior. Action for damages alleged to have resulted from fall on defective sidewalk at corner of Washington Street and Cypress Street on February 26, 1966. Dismissed.

*Frances Kern vs. Brookline. Brookline vs. U.S. Fidelity & Guaranty Co. & L. Coletti & Sons, Inc. Third Party Defendant.* Brookline Municipal. Action to recover for personal injuries alleged to have resulted from fall on defect in Shailer Street on October 17, 1968. Contractor and surety on bond impleaded. Plaintiff settled with contractor and case discontinued against Town.

*Thomas F. Kennedy vs. Albert S. Ormberg.* Brookline Municipal. Tort action for damage to automobile arising out of collision with Town truck operated by defendant on Perkins Street at Francis Parkman Road on December 16, 1964. Case dismissed on motion of defendant.

*\*Bertha Kowalsky vs. Brookline.* Boston Municipal. Action to recover damage arising out of fall due to alleged defective condition of road near 1385 Beacon Street on December 13, 1969. Plaintiff discontinued action.

*Marshall House, Inc. vs. Carl Sapers et als — Rent Review & Grievance Board and Brookline.* Norfolk Superior. Petition for binding declaration that Article XXV of By-Law "Unfair and Unreasonable Rental Practices in Housing Accommodation" invalid and unconstitutional and to enjoin distribution of information forms. By-Law declared invalid.

*Harry Martin, George Vallieres & Richard Kane vs. John J. Doherty.* Boston Municipal. Action to recover for personal injuries and property damage alleged to have resulted from collision with town vehicle operated by defendant on Lenox Street on June 7, 1967. After trial judgment for Martin \$231.10; Vallieres \$163.35; Kane \$108.90. Executions paid.

*Vincent W. McTigue et als vs. Board of Appeals — Bond et als.* Norfolk Superior. Zoning Appeal by abutters from grant of variance and special permit to Edward T. &



Ursula N. Kelley re property — Lot 9 in block 191 (rear of 51 Brighton Road). Dismissed.

*Nathan R. Miller et al vs. Kenneth B. Bond et als and Trustees of Pelham Pleasant Trust.* Norfolk Superior. Appeal from decision of Zoning Board of Appeals granting special permit to construct parking lot at 19-21-25 John Street and 37 Green Street. After trial, Final Decree affirming decision of Board of Appeals. On appeal to Supreme Court, decree affirmed.

\**Charles F. Montross vs. John M. McCarthy.* Municipal Court of Brookline. Action to recover damage to automobile resulting from collision with Town vehicle operated by Defendant on December 29, 1969 at Boylston and Hammond Street, Brookline. Non-entry.

\**Edward W. Riley vs. Brookline, Department of Public Works and Commonwealth of Mass., Civil Service Commission.* Brookline Municipal. Petition for Review of Decision of the Civil Service Commission affirming suspension for three days. After hearing, decision affirmed.

*Robert C. Schaye and Ruth S. Schaye vs. Brookline.* Norfolk Superior. Action for damages alleged to have resulted from negligent removal of water meter at 77 Colchester Street on November 6, 1966. Settled for \$50.00.

\**Seltzers Garden City, Inc. vs. Harold Lowell.* Newton District. Action to recover damage to automobile resulting from collision with Town vehicle operated by Defendant on January 12, 1969 on Brookline and Longwood Avenue, Boston. Settled for \$100.00. Ad Damnum \$600.00.

*Archie H. Silver and Sarah Silver vs. Kenneth B. Bond et als, Board of Appeals and Blue Hills Credit Union.* Norfolk Superior. Appeal from decision of Board of Appeals granting special permit for drive-in bank at 429 Harvard Street. Bill dismissed by agreement.

*Alvin J. Slater vs. Kenneth B. Bond et als, Board of Appeals.* Norfolk Superior. Appeal from decision of Zoning Board of Appeals denying variance at 162 Babcock Street for parking lot. Supreme Court remanded case to Board of Appeals. 350 Mass. 70.

\**Sternbilt, Inc. vs. Francis A. Gauthier.* Brookline Municipal. Action to recover damage to automobile resulting from collision with Town vehicle operated by Defendant on March 4, 1969 at intersection of Harvard and Beacon Street. Ad Damnum \$500.00. Settled for \$250.00.

*Edward J. Sullivan vs. Brookline & Thomas P. Sullivan.* Suffolk Superior. Claim for personal injuries and property damage arising out of collision with snow plow tractor on Beacon Street on February 11, 1967. After trial in Municipal Court, finding for defendant. Case transferred by plaintiff to Superior Court. Ad Damnum \$10,000.00. Settled for \$125.00.

*Trustees of Boston University vs. Kenneth Bond et als, Board of Appeals.* Norfolk Superior. Appeal from decision of Board of Appeals denying variances from Building Code and variance and special permit from zoning by-law relative to building at 132 Carlton Street. Dismissed.

*Morris Vigoda d/b/a Norfolk Electric Co., Peabody Construction Co., Inc., Aetna Insurance Co. & Brookline.* Suffolk Superior. Petition to establish lien and reach security on payment bond on claim of subcontractor for \$4,688.30 in connection with construction of underground garage at Town Hall in 1966. Counterclaim for \$2,814.00 against Peabody Construction Co. Settled. Town collected \$1,400.00 on counterclaim.

\*Action brought in 1970

## NEW SUITS — 1970

*Allied Heating Co., Inc. vs. Star Can Co., Inc., Zullo Corporation, Brookline Middlesex Superior.* Bill for Declaratory Judgment that Plaintiff not indebted to Star Can Co., Inc. as represented by Statement of Claim filed as sub-contractor against Allied Heating, subcontractor and Zullo Construction Co. on Coolidge Corner Library Project. Claim filed for \$3,015.00.

*Dora Benjamin vs. Brookline.* Municipal Court of Brookline. Damage action for injuries received from alleged fall on roadway at intersection of Shailer and Harvard Street on October 7, 1969. Ad Damnum \$2,000.00.

*Barnett Berliner & Stephen Goldburgh vs. Board of Appeals, Irving L. Wharton, et als.* Norfolk Supreme Judicial. Petition for writ of Certiorari to review proceedings of Zoning Board of Appeals in granting special permit to Dexter School with bonus for high rise building at 169-175 Freeman Street alleging that petitioner entitled to notice of hearing and did not receive notice. Also seeks declaratory judgment that special permit void.

*Brookline vs. Samuel K. Pinkus, Trustee of S & S Realty Trust.* Norfolk Superior. Bill in equity to enjoin defendant from violating provisions of zoning by-law prohibiting unrelated occupancy in various apartments in buildings 6 and 10 Foster Street, 172-174 Harvard Street, 7 and 11 Vernon Street; and other violations at 152, 156, 158 Harvard Street, 2 and 14 Foster Street, 9 Vernon Street.

*Brookline vs. Robert H. Quinn, A. G. et als.* Norfolk Probate. Petition for Declaratory Judgment that Town has authority to lease about 2 acres of Larz Anderson Park for 99 years for the sum of \$1.00 to Antique Auto Museum of Mass. at Larz Anderson Park, Inc. under Clause Fourth of Will of Isabel Anderson.

*Brookline vs. Raymond & Morris Reef, Trustees of Chair Realty Trust & St. Paul Realty Trust.* Norfolk Superior. Bill in equity to enjoin defendants from violating provisions of zoning by-law prohibiting unrelated occupancy in various apartments in buildings at 156 Amory Street, 7, 15, 27, 54 & 66 Egmont Street, 318 St. Paul Street, and other violations at 15 & 21 Egmont Street.

*Judith Cadel vs. Hugh C. Jones, Jr.* Middlesex Superior. Damage action for alleged personal injuries resulting from collision of car with town vehicle operated by defendant on Beacon Street on September 29, 1969. Police car rolled forward and hit car in front lightly and Plaintiff claims personal injuries. Ad Damnum \$20,000.00.

*Donald J. Cohen vs. Daniel W. Warren.* Norfolk, Brookline Small Claims. Damage action for motor vehicle received from alleged spraying of a chemical on vehicle on April 20, 1970. Ad Damnum \$250.00.

*Herbert S. Cohen vs. Brookline L. Coletti & Sons Inc.* Middlesex, Newton District. Action to recover damage to motor vehicle by reason of alleged defect in Center Street on August 22, 1968. Ad Damnum \$1,500.00.

*Herbert Cutler and Ruth Cutler vs. Brookline.* Norfolk Superior. Petition for assessment of damages arising out of taking of easement for water main in land at 163 Babcock Street by Order dated September 16, 1968.

*May S. Davlin vs. Kenneth S. Bond et al, Board of Appeals.* Norfolk Superior. Appeal from decision of April 10, 1970, of Board of Appeals granting a variance at 123 Buckminster Road to use a converted stable as a single family residence.

*May S. Davlin vs. Kenneth S. Bond et al, Board of Appeals.* Norfolk Superior. Petition for Certiorari to review decision of April 10, 1970, of Building Board of Appeals

granting a variance at 123 Buckminster Road to use a converted stable as a single family residence.

*Helen J. Doriot vs. Brookline.* Norfolk Superior. Fall on sidewalk at corner of Powell and Freeman Streets, Brookline, on December 28, 1969, claiming defective sidewalk for allowing an unnatural accumulation of ice. Ad Damnum \$10,000.00.

*Gerald P. Eidelman et als d/b/a 576 Associates vs. Brookline.* Brookline Municipal. Action to recover damages for damage to building at 576 Washington Street alleged to have been caused by town snow plow tractor on March 18, 1969. Ad Damnum \$1,000.00.

*Arthur M. Gilikson vs. Nancy B. Beecher et als — Civil Service Commission.* Boston Municipal. Petition for Judicial Review under G.L. C. 31, s. 45 of the action of the Civil Service Commission in dismissing, for lack of jurisdiction, petitioner's appeal.

*Robert E. Goldman & Eliot Gordon, Trustees Harvard Associates Realty Trust vs. Town of Brookline.* Norfolk Superior. Petition for Assessment of damages arising out of taking by eminent domain of Lot 13 in Block 171 by Order dated April 14, 1970. (Pierce School).

*William Goldman et als vs. Steven J. Comen et als, Rent Control Board, Selectmen and Brookline.* Norfolk Superior. Petition for Declaratory Judgment that Article XXX of Town By-Laws establishing rent control of owner-occupied 2 and 3 family houses is invalid and unconstitutional. Preliminary injunction issued and later modified.

*Marvin Gorodetzer, et als vs. Maurice I. Miller et al, Board of Appeals.* Norfolk Superior Equity. Appeal from decision of April 10, 1970, of Board of Appeals granting a variance at 123 Buckminster Road to use a converted stable as a single family residence.

*Augusta Helpin vs. Brookline.* Norfolk Superior. Tort action to recover damages arising from alleged fall on defective way on Beacon Street within the confines of crosswalk at corner of Harvard Street on July 17, 1970. Ad Damnum \$50,000.00.

*Bessie Joseph vs. Brookline.* Brookline Municipal. Tort action to recover damages arising from alleged fall on defective sidewalk on April 29, 1970, at 1366 Beacon Street. Ad Damnum \$2,000.00.

*Bertha Kowalsky vs. Brookline.* Brookline Municipal. Damage action for injuries received from alleged fall on roadway at 1385 Beacon Street on December 13, 1969. Ad Damnum \$2,000.00.

*Samuel Kraft vs. William G. Collins, Jr.* Boston Municipal. Action to recover damage to automobile resulting from collision with Town vehicle operated by Defendant on November 6, 1968, at Commonwealth Avenue at St. Paul Street, Brookline. Ad Damnum \$300.00.

*William P. Lang and Joyce A. Lang vs. Brookline & William G. Collins.* Municipal Court of Brighton District. Action for personal injury and property damage to auto struck by Town vehicle on April 4, 1968 on Market Street, Brighton. Ad Damnum \$5,000.00.

*Barbara Y. Leach vs. Brookline & Paul A. Canty.* Third District of Plymouth. Action for property damage to car struck in rear by Town vehicle operated by Defendant on November 28, 1969 on Reservoir Road at intersection of Beacon Street. Ad Damnum \$1,000.00.

*Tilly Litman vs. Kenneth B. Bond, et ali and John E. & Myrtle J. Vanderklish.* Norfolk Superior. Appeal from decision of Board of Appeals granting a special permit under s. 5.43 of Zoning By-Law in connection with building at 99 Park Street.

*Marshall House Inc. vs. Steven J. Comen et als, Rent Control Board, Selectmen and Brookline.* Norfolk Superior. Petition for Declaratory Judgment for a determination that



St. 1970 c. 842 (Rent Control) accepted by Town is invalid and unconstitutional. Ex Parte Restraining Order to Rent Control Board issued. Petition for stay of order filed in Supreme Judicial Court — No. Eq. 69832 — Suffolk, denied after hearing on October 30, 1970. Application for Preliminary Injunction — issued — but modified by Supreme Court.

*Yoichi Matsumiya vs. Thomas Hennessey.* Brookline Municipal. Tort action for property damage alleged to have resulted from collision with Town police car on March 7, 1970 on Boylston Street. Ad Damnum \$2,100.00.

*Albert T. McCarthy vs. William A. Rozon.* West Roxbury Municipal. Tort action for property damage arising from collision with Town truck on March 21, 1969 on Cameron Street. Ad Damnum \$400.00.

*Margaret M. McDonnell and John M. McDonnell vs. Brookline and Massachusetts Bay Transit Authority.* Municipal Court of Dorchester District. Tort action to recover damages arising from alleged fall by Margaret McDonnell on defective way, the west-bound trolley stop on Beacon Street, Brookline, located opposite the entrance to number 1110 Beacon Street, Brookline, on October 5, 1970. Ad Damnum \$20,000.00.

*Charles F. Montross & Alice Montross vs. Brookline and John M. McCarthy.* Norfolk Superior. Action to recover for personal injury and property damage from collision with Town vehicle operated by John M. McCarthy on December 29, 1969 on Route 9 and Hammond Street. Ad Damnum \$10,000.00.

*Park School Corporation vs. Brookline.* Norfolk Superior. Petition for Assessment of damages arising out of taking of petitioner's land at Kennard Road and Hedge Road.

*Samuel A. Pinkas, S & S Realty Trust, Neil Zzis, Trustee Chair Realty Trust & Sophie Friedman, Philip A. Cohen & Jerold Green vs. Brookline.* Norfolk Superior. Bill for Declaratory Judgment that unrelated occupancy provisions of Zoning By-Law invalid and to enjoin town from enforcing such provisions pending decision on merits. Case consolidated for trial with Eq. 98909, Brookline & Pinkas and Eq. 98491, Brookline v. Reef seeking injunction for violation of said provisions of zoning by-law.

*Alice M. Pitts, William E. Webb & Robert Winto vs. Kenneth B. Bond, Ambach, Hanflig — Board of Appeals and Florence H. Mintz.* Norfolk Superior. Appeal from decision of zoning board of Appeals granting special permits and variances to Florence H. Mintz re property at 80-82 Mason Terrace.

*Sarah L. Riznick vs. Brookline.* Dorchester District, Removed to Superior Court. Damage action for injuries received from alleged fall on sidewalk in front of 1152 Beacon Street on July 24, 1969. Ad Damnum \$5,000.00.

*Janice Sacco vs. Francis Daly.* First District Court of East Middlesex. Action to recover damage to automobile resulting from collision with Town vehicle operated by defendant on May 28, 1969, at Webster Street, Somerville, Mass. Ad Damnum \$800.00.

*Miriam B. Schneider vs. Brookline.* Norfolk Superior. Petition for Assessment of Damages arising out of taking of easement for water main in land at 167 Babcock Street by Order dated September 16, 1968.

*Oscar Shervanian and Altoon Shervanian.* Norfolk Superior. Petition for assessment of damages for taking of Lot 3, Block 173 (72-76A Harvard Street).

*Lawrence D. Shubow vs. Kenneth B. Bond et als, and Beaconsfield Towers, Inc.* Norfolk Superior. Appeal from decision of Board of Appeals granting special permits for apartment building at 1731 Beacon Street.

*Virginia Skinner vs. Brookline.* Brookline Small Claims. Damage action for property received from alleged collision with Town vehicle on December 23, 1969 on Beacon and Harvard Street, Brookline. Ad Damnum \$57.00.

*Marlene K. Tanzer vs. Brookline and Paul A. Canty.* District Court Southern Essex (Lynn). Action for personal injuries as passenger in car struck in rear by town vehicle operated by defendant on November 28, 1969 on Reservoir Road at intersection of Beacon Street. Ad Damnum \$5,000.00.

*Mary J. West vs. Brookline and Brookline Cooperative Bank.* Norfolk Superior. Action to recover damages alleged to have resulted from fall on a defective sidewalk at 246 Washington Street on May 3, 1969. Ad Damnum \$10,000.00.

*Stanley Ward vs. Brookline.* Norfolk Superior. Petition for assessment of damages for taking of lot 51 in Block 171 (101 School Street).

See also cases with \* under heading "Cases Settled or Terminated — 1970".

*Summary of cases in court litigation:* 41 settled or terminated; 115 cases pending including 42 new cases in 1970.

*Opinions:* Town Counsel prepared and rendered 33 written legal opinions requested by the Board of Selectmen and department heads and gave numerous oral legal opinions and advice to town officials.

*Recoveries:* \$33,530.48, broken down as follows: —

Damage to town property, including town vehicles, \$6,672.48 on 29 claims.

Anti Trust Violation, \$17,100

Welfare Reimbursement, \$8,000 on 2 claims

Other Reimbursement 1,758

*Claims against Town on which no action brought* — Town Counsel settled 22 such claims.

*Licenses.* A hearing to revoke a liquor license was conducted before the Selectmen.

*Disciplinary Proceedings against Town Employees.* Town Counsel represented and/or assisted Town officials in connection with disciplinary proceedings against four town employees and dismissal proceedings against a school vocational guidance counsellor, including hearings before the Civil Service Commission and two Petitions for Review before the Municipal Court.

*Dangerous Buildings.* Two hearings were held before the Selectmen on notices to show cause why certain buildings should not be removed.

*Workmen's Compensation.* Appeared in one case before Industrial Accident Board.

*Cases before Appellate Tax Board*

	<i>No. of Appeals</i>	<i>No. of Properties</i>
Withdrawn	4	2
Settled	74	54
Dismissed	2	1
Tried at ATB	1	1
Pending	332	246

*Collective Bargaining.* Assistance was furnished to the Personnel Board in connection with collective bargaining negotiations and agreements with organizations of town employees.



# BROOKLINE TOWN RECORDS

FOR THE MUNICIPAL YEAR ENDING DECEMBER 31, 1970

## WARRANT

### THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings:*

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Brookline qualified to vote in elections to meet at the polling places designated for the several precincts in the said Town on Tuesday, the Third day of March, 1970 at seven o'clock in the forenoon for the following purpose to wit:

To choose by ballot the following Town Officers:

One Moderator .....	For three years
One Town Clerk .....	For three years
Two Selectmen .....	For three years
Four Trustees of Public Library .....	For three years
One Trustee of Public Library .....	For two years
(To fill a vacancy)	
Three Members of the School Committee .....	For three years
Two Trustees of the Walnut Hills Cemetery .....	For three years
One Member of the Brookline Housing Authority .....	For five years
One Member of the Brookline Housing Authority .....	For three years
(To fill a vacancy)	
One Member of the Brookline	
Redevelopment Authority .....	For five years

Also

Seven Town Meeting Members .....	For three years
In Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12	
Two Town Meeting Members .....	For two years
To fill vacancies in Precinct 3	
One Town Meeting Member .....	For two years
To fill vacancies in Precincts 2 and 5	
One Town Meeting Member .....	For one year
To fill vacancies in Precincts 2, 6 and 8	

For these purposes the polls will be open at seven o'clock in the forenoon and shall be closed at eight o'clock in the afternoon.

And in the name of the Commonwealth you are further required to notify and warn the said Inhabitants to meet at the High School Auditorium in said town on Tuesday, the Twenty-fourth day of March, 1970 at seven-thirty o'clock in the evening for the following purposes to wit:

**FIRST ARTICLE.** To see if the Town will vote that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

**SECOND ARTICLE.** To see if the Town will authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue for the financial years beginning January 1, 1970 and January 1, 1971, in accordance with the provisions of the General Laws, Chapter 44, section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of Section 17, of Chapter 44 of the General Laws, as amended, or take any other action relative thereto.

**THIRD ARTICLE.** To see if the Town will amend Article 1-B of the By-Laws of the Town by adding, deleting or substituting positions or classes in the Classification Plan, or will otherwise amend said Article 1-B, and will amend the Pay Plan by establishing, deleting or substituting minimum, maximum or flat rate salaries for any position or class which may have been added to, deleted from or substituted in the Classification Plan under this Article, or by changing any of the existing salaries, or by amending the general provisions with respect to sick leave, vacation leave and the like; or will otherwise amend said Pay Plan.

**FOURTH ARTICLE.** To see if the Town will amend the Town by-laws, by adding thereto Article XXVI, as follows:

## ARTICLE XXVI

### Public Relations and Information

The Town may appropriate money to be expended by the Personnel Board, with the approval of the Selectmen, for the purpose of furnishing information, including, without limitation, the results of its investigations, its opinions and recommendations, to the inhabitants of the town or any thereof, pertaining to an article or articles in the warrant for a town meeting which relate to wages, hours or other conditions of employment of town employees.

**FIFTH ARTICLE.** To see if the Town will amend Article 1-B (Classification and Pay Plans) of the Town by-laws so that the last paragraph of section 3 thereof shall read as follows:

Thereupon, the Selectmen shall insert in the Warrant for the Annual Town Meeting an article or articles sufficiently stated to carry out the recommendations of the Personnel Board which are approved by the Selectmen, and the Selectmen, in their report on the articles in the Warrant, shall submit forms of votes to carry out such recommendations so approved. A motion to amend any of said proposed votes, which has been presented and moved at the Town Meeting, shall require a two-thirds vote of the Town Meeting, for passage, unless the Personnel Board and the Board of Selectmen are agreeable to the proposed amendment, in which event, a majority vote shall be sufficient. A motion to take other action at said meeting, which, in the judgment of the Moderator, is inconsistent with or substantially modifies any of said proposed votes, shall also require a two-thirds vote of the Town Meeting for passage, unless the Personnel Board and the Board of Selectmen are agreeable thereto, in which event a majority vote shall be sufficient. The Selectmen shall include in their Report on the Articles in the Warrant for such meeting the final report and recommendations of the Personnel Board.

**SIXTH ARTICLE.** To see if the Town, pursuant to the provisions of Section 90A of Chapter 32 of the General Laws will increase the retirement allowance of any former employee of the Town who was retired on account of injury sustained in the performance of his duty.

**SEVENTH ARTICLE.** To act upon the appropriations asked for or proposed by the Selectmen or by any other officer, board or committee, and to fix the salary or other compensation of all elected officers of the Town as provided in Section 108 of Chapter 41 of the General Laws, as amended.

**EIGHTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of eighty-eight thousand dollars (\$88,000) to be expended by the Building Commission, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the detailed plans, specifications and construction of a Work Shop-Storage Area at Anderson Park.

**NINTH ARTICLE.** To see if the Town will authorize the Selectmen to take such legal steps as to them seem appropriate to authorize the Town to execute and deliver a ninety-nine year lease to the Antique Automobile Museum of Massachusetts at Larz Anderson Park, Inc. for the sum of \$1.00 and on such other terms and conditions as the Selectmen deem proper, a portion of the property known as Larz Anderson Park; said portion consisting of approximately two acres of land as shown on a Plan by the Commissioner of Public Works, entitled, "Plan of location of Antique Auto Museum, Larz Anderson Park, Brookline," dated December, 1969, copies of which are available at the office of the Department of Public Works, Town Hall; such leased property to be used by the said Museum solely for



its non-profit and educational purposes of housing and exhibiting antique automobiles and/or other vehicles for the purpose of establishing a history of land transportation in the United States and for the erection, maintenance and operation of a building or buildings on said property to be used in connection with said museum displays; and will authorize the Selectmen to petition the Norfolk Probate Court for authority to execute and deliver said lease; and will authorize the Selectmen, if deemed necessary to accomplish this purpose, to file legislation with the General Court authorizing the said lease; provided, however, that all costs of construction, maintenance and legal expense, including attorneys fees, shall be the responsibility of the Automobile Museum of Massachusetts at Larz Anderson Park, Inc., and, provided further, that all designs, plans and site layouts must be submitted to the Planning Board and the Board of Selectmen and approved by them before any construction can begin; or will take any other action with respect thereto.

TENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of twelve thousand dollars (\$12,000) to be expended by the Building Commission with the approval of the Board of Selectmen and the Park and Recreation Commission, for the preparation of schematic plans, including site definition, for the replacement of the Brookline Avenue Recreation Center, and other facilities deemed feasible, or will take any other action with respect thereto.

ELEVENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of one hundred sixty thousand dollars (\$160,000), to be expended by the Building Commission, with the approval of the Selectmen, and the Trustees of the Public Library, for working drawings and specifications for alterations and additions to the Main Library, or will take any other action with respect thereto.

TWELFTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of thirty thousand dollars (\$30,000), to be expended by the Planning Director, with the approval of the Planning Board and the Board of Selectmen, for the services of an urban design consultant and such other consultants as are necessary to assist in the preparation of a development program for the Coolidge Corner and Washington Square areas.

THIRTEENTH ARTICLE. To see if the Town will raise and appropriate the sum of two hundred thousand dollars (\$200,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for a new William H. Lincoln School to accommodate 675 students of kindergarten through grade eight, inclusive, on certain parcels of land on Kennard and

Hedge Roads, commonly referred to as the Park School site, the acquisition of which was authorized by the 1969 Annual Town Meeting.

FOURTEENTH ARTICLE. To see if the Town will raise and appropriate the sum of twenty-five thousand dollars (\$25,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the Heath School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fourth Article in the Warrant for that Meeting.

FIFTEENTH ARTICLE. To see if the Town will raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the Lawrence School, which amount is to be in addition to the sum of forty thousand dollars (\$40,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fifth Article in the Warrant for that Meeting.

SIXTEENTH ARTICLE. To see if the Town will raise and appropriate the sum of twenty-two thousand dollars (\$22,000) to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the John D. Runkle School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Sixth Article in the Warrant for that Meeting.

SEVENTEENTH ARTICLE. To see if the Town will appropriate an additional sum of seventy-nine thousand dollars (\$79,000) to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages of other costs and expenses in connection therewith, and approved under the aforementioned Twenty-second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor.

**EIGHTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the School Committee, with the approval to the Selectmen, for the installation of sprinkler systems, fire detection devices, and fire protection enclosures for Class A flammables in the High School and elementary school buildings which have been recommended by the Chief of the Brookline Fire Department and by the Underwriters of the insurance carrier for the Town.

**NINETEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds the sum of five hundred thousand dollars (\$500,000), two hundred ninety thousand dollars (\$290,000) of which is to be expended by the Building Commission, with the approval of the Board of Selectmen and of the School Committee, for the restoration of the High School Library and other parts of the High School which were destroyed or damaged by the fire on November 14, 1969, such restoration to include all necessary remodeling, reconstruction, or the making of extraordinary repairs; and two hundred ten thousand dollars (\$210,000) of which is to be expended by the School Committee, with the approval of the Board of Selectmen, for the replacement of furniture, furnishings, equipment, books, and educational supplies. To meet the appropriation, a transfer may be made from the Fire Insurance Recovery Fund of whatever balances are available at the time of the Town Meeting.

**TWENTIETH ARTICLE.** To see if the Town will vote that the remodelling and renovation plans for the Heath-Baldwin and John D. Runkle schools consist in the main of new additions; that there be "no 'gutting' or removal of interior walls" (except where it is necessary to enlarge an existing facility) "and only minimal changes in classrooms in existing buildings," and that the facilities, such as the large audio-visual centers which are to replace the school libraries should be a part of the additions.

**TWENTY-FIRST ARTICLE.** To see if the Town will raise and appropriate the sum of one hundred seventy-five thousand dollars (\$175,000) to be expended by the Building Commission with the approval of the Selectmen and the School Committee for architectural plans and specifications for a new Lawrence School on the existing site, to accommodate 675 pupils of kindergarten through Grade 8 inclusive, or will take any other action with respect thereto.

**TWENTY-SECOND ARTICLE.** To see if the Town will raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be expended by the Building Commission with the approval of the Selectmen and the School Committee for architectural plans and specifications for additions and minimal alterations to the Heath-Baldwin School to accommodate



675 pupils of kindergarten through grade eight inclusive, or will take any other action with respect thereto.

**TWENTY-THIRD ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of eighty-five thousand dollars (\$85,000) to be expended by the School Committee with the approval of the Advisory Committee, to provide a comprehensive plan for the operation of the Brookline School system for the next decade.

This plan should show yearly proposed expenditures for operations, buildings and capital expenditures on a detailed basis. Anticipated policy and curriculum changes should be detailed along with means and costs of implementing them. Back-up data should include projected student population size and geographical distribution in the Town. Most important, Brookline's education goals should be specified in detail, along with the means that will be utilized to assess whether or not these goals are being, and have been achieved.

**TWENTY-FOURTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds in the Treasury, the sum of ninety-four thousand six hundred dollars (\$94,600) for the reconstruction and repair of certain streets under the Chapter 90 Road Program.

**TWENTY-FIFTH ARTICLE.** To see if the Town will appropriate the amount of two hundred ninety thousand eight hundred seventy-five dollars and forty-four cents (\$290,875.44), for the construction, reconstruction, resurfacing or repair of various streets, sidewalks, or curbs throughout the Town, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the town therefor.

**TWENTY-SIXTH ARTICLE.** To see if the Town will authorize the transfer of ninety-six thousand nine hundred fifty-eight and forty-eight hundredths dollars (\$96,958.48), being the funds allotted to the Town by Chapter 768 of the Acts of 1969, General Laws, entitled, "AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM" and appropriate the sum of ninety-six thousand nine hundred fifty-eight and forty-eight hundredths dollars (\$96,958.48) to permit the reconstruction, repair and resurfacing of certain public ways within the town.

**TWENTY-SEVENTH ARTICLE.** To see if the Town will appropriate the sum of two hundred sixty thousand dollars (\$260,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for laying and relaying water mains of not less than six (6) inches but less than sixteen (16) inches in diameter and determine how any such

appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the town therefor.

**TWENTY-EIGHTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of sixty-nine thousand dollars (\$69,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for the construction of drains in Marion Street, Naples Road and Osborne Road.

**TWENTY-NINTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of seventy-five thousand dollars (\$75,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for public improvement projects under the Neighborhood Improvement Program in the Mass E-3 Concentrated Code Enforcement Area.

**THIRTIETH ARTICLE.** To see if the Town will authorize the Selectmen to take by eminent domain under Chapter 79 of the General Laws, or acquire by purchase or otherwise, an easement twenty-five (25) feet wide, abutting the existing sewer easement from Park Street through Park Vale, a private way, and other private land, to a point in Pierce Playground thence continuing forty (40) feet wide to and through Harvard Place to Harvard Street, and from School Street to Harvard Place twenty (20) feet wide, for the purpose of constructing, reconstructing, maintaining and repairing a surface water drain, sanitary sewer and a water main in certain parcels of land designated in the 1969 Assessors' Atlas of the Town of Brookline, as portions of Lots 1, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 45, 46, 47 in Block 171, more fully described and shown on a plan by H. F. Bryant & Son, dated October 14, 1969, for the Commissioner of Public Works, Leo D. Picardi, on file in the office of the Town Clerk, and will raise and appropriate, or appropriate from available funds in the treasury, a sum of money to pay for the same or to pay for land damages or other costs and expenses in connection therewith.

**THIRTY-FIRST ARTICLE.** To see if the Town will raise and appropriate the sum of eighty-five thousand four hundred dollars (\$85,400) to be expended by the Commissioner of Public Works with the approval of the Director of Traffic and Parking for the modernization and improvement of traffic control installations to increase safety at the following locations:

- Beacon Street at Washington Street
- Beacon Street at St. Paul Street
- Beacon Street at Kent and Powell Streets
- Washington Street at Cypress and School Streets
- Beacon Street at Summit Avenue.

**THIRTY-SECOND ARTICLE.** To see if the Town will raise and appropriate the sum of three thousand dollars (\$3,000) to be expended by the Commissioner of Public Works with the approval of the Director of Traffic and Parking for the installation of a flashing beacon at the intersection of Dean Road and Fisher Avenue.

**THIRTY-THIRD ARTICLE.** To see if the Town will raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be expended by the Director of Traffic and Parking for the purchase of new parking meters and replacement parts to permit the establishment of new parking meter zones, implementation of revised parking regulations, and decrease maintenance costs.

**THIRTY-FOURTH ARTICLE.** To see if the Town will adopt a resolution; to declare that there exists in the Town a need for low rent housing for elderly persons at rents within the means of such persons of low income, as defined in the United States Housing Act of 1937, as amended, which need is not being adequately met by private enterprise; to approve an application of the Brookline Housing Authority to the Department of Housing and Urban Development, an agency authorized by the said Act to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low rent housing for the elderly projects, for a preliminary loan in an amount not to exceed sixty thousand dollars (\$60,000), for surveys and planning in connection with low rent housing for the elderly projects of not to exceed approximately one hundred fifty (150) dwelling units, and to authorize the Board of Selectmen to execute on behalf of the Town a "Cooperation Agreement" between the Town and the Brookline Housing Authority, substantially in the form of a proposed agreement of which copies are on file in the office of the Board of Selectmen, the Brookline Housing Authority and the Town Clerk, providing for the local cooperation as may be required by the Department of Housing and Urban Development pursuant to the said Act.

**THIRTY-FIFTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds in the Treasury, the sum of seventeen thousand eight hundred ninety-two dollars (\$17,892), to be expended by the Chief of Police, with the approval of the Board of Selectmen, for the payment of charges for services rendered by Special Police Details at the Sacks Building, 39 Aspinwall Avenue — 168 Brook Street, during the period June 11 — November 14, 1968, or will take any other action with respect thereto.

**THIRTY-SIXTH ARTICLE.** To see if the Town will file a petition and/or approve a petition to the General Court for legislation to amend section 1 of Chapter 345 of the Acts of 1945, as amended by Chapter 191 of the Acts of



1955, to provide that the Director of Public Health of the Town of Brookline need not devote his entire time to the performance of the duties and obligations imposed by said Acts but that he may devote part time, as determined by the Selectmen, to such duties and obligations.

**THIRTY-SEVENTH ARTICLE.** To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

An Act Authorizing the Traffic Director of the Town of Brookline to adopt regulations for the removal and storage of vehicles illegally parked and to authorize the holding of certain motor vehicles towed for illegal parking in the Town of Brookline until fines have been paid or security for their payment deposited.

Chapter 375 of the Acts of 1968 is hereby amended by adding at the end of the first paragraph of paragraph (a) of section 3, the following paragraph:

The Traffic Director shall have exclusive authority to adopt, alter or repeal rules and regulations which are provided for in G.L., C. 40, s. 22D, and such regulations may also provide that if a vehicle is removed pursuant to such rules or regulations, such vehicle shall be held until all charges lawfully imposed for such removal and storage following the same have been paid and, if in the calendar year in which such vehicle is so removed and in the preceding calendar year, five or more notices in the aggregate have been affixed to said vehicle as provided in section twenty C of chapter ninety of the General Laws, due notice has been received that either the fines provided in such notices have been paid or security for payment thereof has been deposited.

**THIRTY-EIGHTH ARTICLE.** To see if the Town will accept section 8D of Chapter 40 of the General Laws and will establish an historical commission of the Town for the purposes and with the rights and duties provided by law, to be composed of five (5) members, residents of the Town, appointed by the Selectmen for terms of three years except that initial appointment shall be one (1) member for one year, two (2) members for two years and two (2) members for three years.

**THIRTY-NINTH ARTICLE.** To see if the Town will amend the Town by-laws by adding thereto Article XXVII as follows, or will take any other action with respect thereto:

**ARTICLE XXVII — *Removal of Snow and Ice from Sidewalks***

Section 1. *Definitions.* The following definitions shall apply in the interpretation and enforcement of this by-law:

- (a) "Sidewalk" means that portion of a street between the curb lines, or the

lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(b) "Business day" is any day not a Sunday or a legal holiday.

(c) "Business hours" are the hours between 9 a.m. and 5 p.m. on any business day.

#### Section 2. *Snow and Ice to be Removed from Sidewalks by Private Persons.*

(a) Every owner or his agent in charge, tenant or occupant, of any building or lot of land within the Town fronting or abutting on a sidewalk, shall remove and clear away, or cause to be removed and cleared away, snow and ice from so much of sidewalk as is in front of or abuts on said building or lot of land.

(1) Except as provided in subsection (b) hereof, snow and ice shall be removed from sidewalks in all business districts within the Town by four (4) business hours after the cessation of any fall of snow, sleet, or freezing rain or by the beginning of business hours of the next business day following such fall, which ever period is shorter.

(2) Except as provided in subsection (b) hereof, snow and ice shall be removed from all other sidewalks within the Town on the same day of the cessation of any fall of snow, sleet, or freezing rain or within the first twelve (12) hours of daylight after the cessation of any such fall, whichever period is longer.

(b) However, in the event snow and ice on a sidewalk has become so hard that it cannot be removed, the person or entity charged with its removal shall, within the time mentioned in subsection (a) hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel thereon reasonably safe; and shall then, as soon thereafter as weather permits, cause said sidewalk to be thoroughly cleaned.

#### Section 3. *Penalties.*

Any person, partnership, corporation, joint-stock company, or syndicate who violates any provision of this by-law shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding ten dollars. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

#### Section 4. *Separability.*

If any section, subsection, sentence, clause, phrase, or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**FORTIETH ARTICLE.** To see if the Town will enact the By-Law, which is affixed hereto, regulating certain rental housing accommodations within the Town and the rents therefor, or will take any other action with respect thereto.

### RENT REGULATION BY-LAW

#### Section 1. *Declaration of Emergency.*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens in this Town, which has resulted from a substantial shortage of rental housing accommodations; that unless residential rents are regulated and controlled, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of this Town.

## Section 2. Definitions.

(a) *Person*. "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor, representative or agent of the foregoing.

(b) *Landlord*. "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(c) *Tenant*. "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession, use or occupancy of any housing accommodations.

(d) *Rent*. "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

(e) *Services*. "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, elevator service, storage and laundry facilities or privileges, janitor service, removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(f) *Housing Accommodations*. "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other property rented or offered for rent for living or dwelling purposes, together with any privileges, services, furnishings, furniture and facilities connected with the use or occupancy of such property.

(g) *Controlled Housing Accommodations*. "Controlled housing accommodations" means all housing accommodations except the following:

(1) Any boarding or lodging house, club-house, fraternity house or hotel as defined in Article II of the Zoning By-Law.

(2) Any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes on a non-profit basis.

(3) Any housing accommodations owned and operated by the United States or the Commonwealth of Massachusetts or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority, or the Town of Brookline.

(4) Any housing accommodations that were never occupied by a tenant prior to January 1, 1968.

(h) *Maximum Rent*.

(1) "Maximum rent" for any controlled housing accommodations that were occupied by a tenant on January 1, 1968, means the rent charged therefor on said date.

(2) "Maximum rent" for any controlled housing accommodations that were not occupied by a tenant on January 1, 1968 but were occupied by a tenant on some date prior thereto means the rent charged in the period preceding January 1, 1968 during which the housing accommodations were last occupied by a tenant.

(i) *Minimum Services*.

(1) "Minimum services" for any controlled housing accommodations that were occupied by a tenant on January 1, 1968 means all of the services provided by the landlord to the tenant on said date.

(2) "Minimum services" for any controlled housing accommodations that were not occupied by a tenant on January 1, 1968 but were occupied by a tenant on some date prior thereto means all of the services provided by the



landlord to the tenant in the period preceding January 1, 1968 during which the housing accommodations were last occupied by a tenant.

### Section 3. *Creation, Duties and Powers of Rent Board.*

(a) There is hereby created a rent board consisting of five members who shall be appointed by the Board of Selectmen and who may be removed by the Board of Selectmen when in its judgment the public interest so requires. Three of said members shall be representatives of the public interest; one member shall be representative of landlords and the remaining member shall be representative of tenants. No person holding a public office in the town other than a town meeting member and no salaried employee of the town shall be eligible for appointment. The members shall elect one of the three representatives of the public interest to serve as chairman of the rent board.

(b) The members of the rent board shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties. The rent board may employ and fix the salaries of such assistants and clerical aid as it deems necessary, with the approval of the board of selectmen. Such assistants and clerical aid may be removed at the pleasure of the rent board subject to the provisions of law thereto pertaining.

(c) The rent board shall have the power to investigate apparent or reported violations of this by-law, make studies, conduct hearings, adopt, alter and repeal rules and regulations, issue orders, specify requirements and take any other action which it deems necessary or desirable to the administration and enforcement of this by-law or regulation, order or requirement thereunder and which it is not prohibited by law from taking. For such purposes the rent board may require any person who rents or offers for rent or acts as a broker or an agent for the rental of any housing accommodations to furnish any information required by it under oath, to make reports and to produce records and other documents.

(d) The rent board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this by-law or any regulation, order or requirement thereunder.

(e) The rent board shall have the power to enforce this by-law or any regulation, order or requirement thereunder in any manner not prohibited by law, including legal and equitable actions in any court of the Commonwealth.

### Section 4. *Registration.*

Within 60 days after the date this article becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of controlled housing accommodations rented or offered for rent shall file in triplicate a verified written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit, and specify the minimum services and the maximum rent for such dwelling unit and shall contain such other information as the rent board shall require. The original shall remain on file with the rent board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement as been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

Whenever the maximum rent is changed by order of the rent board, the landlord shall deliver his stamped copy of the registration statement to the rent board office for appropriate action reflecting such change.

*Section 5. Adjustment of Maximum Rent or Minimum Services*

(a) Any landlord or tenant of any controlled housing accommodations may file a verified written petition with the rent board for an increase, decrease or other adjustment in the maximum rent or minimum services of such housing accommodations. It shall allege that an adjustment of the maximum rent or minimum services is necessary to remove hardships, correct other inequities or otherwise effectuate the purposes and provisions of this by-law and shall specify the facts constituting said hardships, inequities, or other problems stated therein.

(b) Upon the receipt of such a petition, or upon its own initiative, the rent board shall forthwith call a public hearing which shall be held not more than thirty days after said call and shall give written notice of the time, date, place and purpose of such hearing to the board of selectmen and by publication in a newspaper of general circulation in the town not less than fifteen days prior to the date of such hearing.

(c) At any hearing conducted by the rent board all interested persons shall be given a reasonable opportunity to be heard and shall have the right to be represented by counsel. For the purposes of such hearing, any person may be requested or permitted by the rent board to attend, testify and produce books and papers.

(d) After conducting such hearing and considering all relevant evidence, the rent board shall issue an order regarding the adjustment of the maximum rent and minimum services of the housing accommodations that were the subject to the hearing. The rent board shall make no adjustments of the maximum rent or minimum services of any controlled housing accommodations unless and until it conducts a public hearing as provided herein. The rent board shall not increase the maximum rent of any controlled housing accommodations unless and until the landlord thereof certifies in writing and under oath to the rent board that he is providing the minimum services therefor and will continue to provide said minimum services until such time as they may be adjusted by the rent board, and submits certificates of compliance from appropriate town agencies certifying that such housing accommodations are in compliance with applicable health, safety, building and zoning laws, regulations and by-laws.

(e) In deciding whether an adjustment of the maximum rent or minimum services of any housing accommodations is necessary to remove hardships, correct other inequities or further effectuate the purposes and provisions of this by-law, the rent board shall give due weight to the principle of establishing and maintaining rents for controlled housing accommodations at levels which will yield to landlords a fair return from such housing accommodations; and shall give due consideration to the following, among other relevant factors:

- (1) increases or decreases in property taxes;
- (2) unavoidable increases in operating and maintenance expenses;
- (3) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement and maintenance;
- (4) increases or decreases in living space, furniture, furnishings or equipment;
- (5) substantial deterioration of the housing accommodations, other than ordinary wear and tear;
- (6) failure to perform ordinary repair, replacement or maintenance;

(7) the experiences of rent control boards in New York City and other communities that presently have or have had a system of rent control;

(8) and the suggestions of economists, bankers, real estate boards, and similar persons with a knowledge of the financing and management of real estate.

(f) The rent board shall at least once annually review any increase in the real property tax rate of the Town and any increase in an appropriate price or cost index published by an agency of the United States. If the rent board finds that there have been increases in such rate or index, it may issue an order or ruling authorizing every landlord of controlled house accommodations to increase rents on such accommodations by a percentage which fairly reflects the increase in such rate or index. Upon the issuance by the rent board of such an order or ruling, maximum rents may be increased by a percentage not exceeding such percentage without the filing and approval of the petition otherwise required under the preceding subsections of this section.

#### Section 6. Prohibitions and Penalty.

(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

(1) To demand, accept or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent; to fail or neglect to furnish the minimum services in any controlled housing accommodations; or otherwise to do or omit to do any act, in violation of this by-law or any regulation, order or requirement thereunder or to offer, solicit, attempt or agree to do any of the foregoing.

(2) To deprive or attempt to deprive, by coercion, fraud or duress, any person of the benefits of this by-law or any regulation, order or requirement thereunder.

(3) To evade any provision of this by-law or any regulation, order or requirement thereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or by tying agreements, or otherwise.

(4) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or agreement for the use of such accommodations, because such tenant or occupant has taken, or proposes to take, action authorized or required by this by-law or any regulation, order or requirement thereunder.

(b) Any agreement by a tenant to waive the benefit of any provision of this by-law or of any regulation, order or requirement thereunder, shall be void.

(c) Any agent, broker or other authorized representative who violates any provision of this by-law shall be presumed to be acting within the scope of his authority or with the subsequent ratification of his principal.

(d) Any person who violates any provision of this by-law, or of any regulation, order or requirement thereunder, or who makes any statement or entry false in any material respect in any document or report required under this by-law or any regulation, order or requirement thereunder, shall be fined not more than fifty dollars for each offense.



### Section 7. Miscellaneous.

(a) Nothing in this by-law shall be construed to require any person to offer any housing accommodations for rent.

(b) Nothing in this by-law shall be interpreted or construed to authorize the prohibition, in the case of any rental agreement hereafter entered into, of the demand or collection of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance.

(c) If any provision of this by-law or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this by-law and the applicability of such provision to other persons or circumstances shall not be affected thereby.

(d) The selectmen shall insert in the warrant for an annual town meeting for 1971 an article presenting the question of whether this by-law shall be repealed as of the end of June, 1971, and to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be expended by the Rent Board for the purpose of this rent regulation By-Law.

**FORTY-FIRST ARTICLE.** To see if the Town will amend Section 3 of Article I of the Town By-Laws by deleting paragraphs a, b, c, and d thereof and substitute therefor the following paragraphs so that Section 3 shall read as follows:

### Section 3.

(a) There shall be five standing committees of the town meeting; an Appropriation Committee which shall have jurisdiction of town appropriations and expenditures; a Public Service Committee for fire, police, transit, health, highway and traffic matters; a Public and Private Housing Committee for building, code enforcement, rent administration and public housing matters; a Public Buildings Committee for school, library, Town Hall, and lighting and heating plants; and an Administration and Urban Affairs Committee for park and recreation, conservation, forestry, welfare and matters of community interest and concern.

(b) Each committee shall consist of fifteen citizens who shall serve without pay, 12 of whom shall be town meeting members, one from each precinct. No committee members shall be a salaried officer or employee of the Town or a member of any standing Town board or committee, but this restriction shall not disqualify members of special committees which may be created from time to time by the town meeting, the Moderator, or the Selectmen to report on specific problems.

(c) The twelve town meeting members of each committee shall be elected by the town meeting members of the respective precincts at precinct meetings held during a period of the annual town meeting. In the first year, members from even-numbered precincts shall be elected for a two year term and odd-numbered precincts shall elect for a one year term. Thereafter, committee members shall be elected for a two year term. A vacancy occurring among precinct representatives shall be filled for the unexpired term by a vote of the town meeting members of the precinct. The Moderator shall appoint three members of each committee for a term of two years and he may fill any vacancy by appointment for an unexpired term of any of his appointees.

(d) Each committee shall confer quarter-annually and shall hold such other meetings as it may deem advisable. It shall elect a Chairman annually at its first meeting from its own members and shall appoint a Secretary annually who is not one of its members who shall hold office until another is appointed in his place.

(e) Each committee shall keep a complete record of all committee action. Such record shall include a record of votes on any question on which a recorded vote is demanded.

(f) In case any controversy arises as to the jurisdiction of any standing committee with respect to any proposed article, the question of jurisdiction shall be decided by the Moderator, without debate, in favor of the committee which has jurisdiction over the subject matter which predominates in such proposed article.

(g) Each committee meeting shall be open to the public and the press except that the committee may, by majority vote of the full committee, go into executive session only for the purpose of discussing, deliberating or voting on those matters which by law cannot be made public and those matters which if made public might adversely affect the public security, the financial interest of the Town or the reputation of any person.

(h) Each committee shall consider any matter germane to its jurisdiction and shall file its reports, and from time to time, drafts of articles necessary to carry its recommendations into effect. The committee members shall not be deemed to be executive or administrative officers of the Town but shall serve directly under the town meeting. No article may be filed as a committee recommendation unless a majority of the full committee voted therefor.

(i) Each committee shall so far as practicable exercise continuous watchfulness of the execution of the Articles adopted by the town meeting and each committee shall consider the pertinent recommendations of the Selectmen and other Town officers and committees and of all articles in the warrant for the annual town meeting and for any special town meeting. Each committee may examine the books and records of any Town board, committee or officer as far as permitted by law and each may request a town officer to submit or cause to be submitted a written or an oral report on germane matters. All boards, committees and officers proposing to ask for appropriations at the annual town meeting shall submit their estimates for each appropriation to be asked for, with the reasons therefor, to the appropriations committee at the same time they submit them to the Selectmen.

**FORTY-SECOND ARTICLE.** Proposed amendment of the by-laws of the Town of Brookline.

The Town Meeting Members, being the legally elected representatives of their precinct, have more than just voting rights in the conduct of the town meetings. We direct the Board of Selectmen to establish a commission of town meeting members to codify those rights and privileges in the form of a by-law to be presented to the annual town meeting next following the acceptance of this resolution for ratification by the Town Meeting.

The commission shall consist of a minimum of one Town Meeting member from each precinct. They shall elect one member to serve as chairman and he shall be authorized to spend up to one thousand dollars in the preparation of this by-law. These expenses will be taken from the Board of Selectmen's General Fund.

**FORTY-THIRD ARTICLE.** Proposed amendment of the by-laws of the Town of Brookline.

In order to assure a more equitable assessment of the cost of maintaining the Town of Brookline it is proposed that the municipal expense portion of the tax levy be separated from the real estate bill and issued as a separate municipal use service charge to all property owners.

The municipal use portion of this service charge will consist of the annual cost of maintaining general government of the town, the cost of protection of persons and property, and the cost of the town's public works.

Excluded from municipal use billing will be only town, county, state, and federal property and legally constituted places of public worship within the boundaries serviced by the Town of Brookline.

All other property that might be excluded from the annual assessment of this service charge by act of the state legislature will be subject to individual billing any time they have occasion to use municipal services covered by this bill.

Apportionment of the cost of municipal use service charges will be based on the assessed valuation of the property as determined by the town's assessing department.

**FORTY-FOURTH ARTICLE.** To ask the Town to find that the Federal Government's commitment to the war in Vietnam is adversely affecting the Town's ability to deal with Municipal problems.

Section 1. The Town Meeting appropriates the sum of \$50 and asks that the Board of Selectmen conveys the contents of this resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States, and Representative Thomas P. O'Neill, and take other such action as may be appropriate.

Section 2. The Town of Brookline acting through its Town Meeting finds that the Federal Government's commitment to the war in Vietnam has impeded the Town's ability to deal with municipal problems and has created serious problems for many of the Town's citizens. The Town believes that the war must be ended immediately, all American troops brought home within six months, and the resources committed to the war must be reallocated to pressing domestic problems.

**FORTY-FIFTH ARTICLE.** To hear and act upon the reports of Town Officers and Committees.

**FORTY-SIXTH ARTICLE.** To see if the Town will authorize taking a sum of money voted for the appropriations heretofore made at this meeting and not voted to be borrowed, from any available funds in the treasury, and will authorize the Assessors to use free cash in the treasury in any available funds to that amount in the determination of the 1970 tax rate.

**FORTY-SEVENTH ARTICLE.** To appropriate and raise by borrowing or to



appropriate from other available funds, such sums of money as may be necessary for all or any of the purposes mentioned in the foregoing articles.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this ninth day of February in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.  
GEORGE F. McNEILLY  
SUMNER Z. KAPLAN  
MORTON R. GODINE  
ROBERT C. COCHRANE, JR.  
*Board of Selectmen*

A True Copy, Attest:

James V. Esposito  
*Constable*

NORFOLK, SS.

BROOKLINE, MASSACHUSETTS, FEBRUARY 18, 1970

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline, qualified to vote in elections, to meet at the several designated polling places in said Town on Tuesday, the third day of March, 1970 for the purpose of electing certain Town Officers, and further notified and warned said inhabitants to meet at the High School Auditorium in said Town at 7:30 p.m., Tuesday, March 24, 1970 by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of February 12, 1970, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

JAMES V. ESPOSITO  
*Constable*

I hereby certify that at least seven days before the time of said meeting I notified the Town Meeting Members of said meeting by letter on January 12, 1970, having printed copies of the Warrant mailed on February 18, 1970 and copies of the Reports of the Selectmen and Advisory Committee mailed on March 13, 1970 to the last known address of said members.

Attest:  
THOMAS F. LARKIN  
*Town Clerk*

January 12, 1970

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Annual Town Meeting for 1970 will be held as follows:

Annual Town Election, Tuesday, March 3, 1970.

Annual Town Meeting, Tuesday, March 24, 1970.

The Annual Town Meeting will be held in the Auditorium of the Brookline High School at 7:30 P.M.

In the event the meeting is not completed in one night, March 25, 31, April 1, 2, 7, 8, and 9, 1970, have been reserved at the High School for possible recessed meetings.

Very truly yours,  
THOMAS F. LARKIN  
*Town Clerk*

In pursuance of the foregoing Warrant the inhabitants of the Town of Brookline qualified to vote in elections met at the various designated polling places in said Brookline on Tuesday, the third day of March, 1970 at seven o'clock in the forenoon.

Upon receipt of the returns from the several precincts they were tabulated and the total results of the ballot was announced as follows:

## TOWN ELECTION — MARCH 3, 1970

1A	1B	2A	2B	3A	3B	4A	4B	5A	5B	6A	6B	7A	7B	8A	8B	9A	9B	10A	10B	11A	11B	12A	12B	Total	
MODERATOR, for 3 years — Vote for One																									
Rollins	171	266	059	134	295	141	245	352	350	174	229	128	133	089	149	133	115	262	156	188	346	128	175	4,615	
Wyner	222	189	267	128	173	247	081	144	194	094	251	197	180	213	157	165	180	195	223	165	284	264	261	4,657	
TOWN CLERK, for 3 years — Vote for One																									
Larkin	389	252	408	137	223	353	179	336	444	383	309	339	236	253	169	220	213	221	378	268	283	565	302	7,185	
SELECTMAN, for 3 years — Vote for Two																									
McNeilly	211	191	300	069	144	258	249	269	381	348	205	260	136	160	093	127	131	144	337	215	225	516	177	5,369	
Abrams	266	244	347	162	205	252	191	222	239	260	266	226	178	168	182	225	193	203	265	197	238	269	297	5,468	
Myerson	251	219	367	139	260	351	121	195	233	146	335	290	272	317	180	238	262	158	308	223	204	450	304	6,258	
TRUSTEES OF PUBLIC LIBRARY, for 3 years — Vote for Four																									
Caswell	236	242	291	096	173	256	213	216	234	285	250	251	180	171	121	134	142	157	269	202	241	488	231	5,323	
Dean	244	233	305	101	171	258	203	251	313	262	258	281	198	207	124	153	163	170	277	240	245	498	235	5,612	
Goldman	260	256	374	169	221	303	138	202	226	177	355	270	231	262	185	232	213	238	254	298	202	400	305	6,066	
Parkman	252	241	345	121	187	276	200	238	324	261	292	207	203	199	135	162	165	184	288	245	232	509	240	5,811	
Sharff	186	147	228	087	140	169	081	130	153	149	215	187	141	169	132	161	168	133	183	161	123	170	153	3,751	
TRUSTEE OF PUBLIC LIBRARY, for 2 years — Vote for One																									
Gardner	175	180	227	074	172	226	190	211	322	234	176	209	151	137	072	120	115	130	247	177	214	460	172	4,610	
Summerfield	189	141	274	059	127	209	104	138	133	167	231	198	142	201	160	176	168	150	200	200	130	172	195	186	4,090
SCHOOL COMMITTEE, for 3 years — Vote for Three																									
Carle	229	192	288	099	158	264	167	192	276	282	260	252	180	191	130	143	162	176	259	227	172	325	220	5,074	
Pinsanski	306	306	423	164	269	342	148	239	267	244	327	283	246	276	185	260	247	244	305	317	220	464	309	5,636	
Connorton	292	246	329	142	205	324	206	273	316	312	306	285	233	294	175	203	223	238	350	307	217	399	264	6,429	
Sturdy	183	185	291	080	155	247	263	223	341	307	196	240	155	156	127	152	139	130	276	186	267	461	193	5,212	
TRUSTEES OF WALNUT HILLS CEMETERY, for 3 years — Vote for Two																									
Caverly	285	257	381	132	217	340	246	278	375	358	317	329	222	246	157	211	215	209	348	289	270	542	298	6,834	
Hill	264	244	351	137	199	294	210	248	346	294	297	206	226	147	190	186	199	299	299	253	256	538	279	6,223	
BROOKLINE HOUSING AUTHORITY, for 5 years — Vote for One																									
Brenner	245	242	389	152	212	290	118	184	181	102	338	277	219	240	158	220	213	239	298	321	210	429	296	292	5,865
MacDermid	112	084	136	027	072	129	199	204	288	380	070	127	067	069	054	079	072	049	145	058	114	174	066	109	2,894
BROOKLINE HOUSING AUTHORITY, for 3 years — Vote for One																									
Sexton	274	251	374	136	211	342	274	296	379	381	314	336	218	221	169	207	201	214	340	288	262	503	278	292	6,721
BROOKLINE REDEVELOPMENT AUTHORITY, for 5 years — Vote for One																									
Reed	269	248	364	132	206	324	222	227	312	310	313	324	240	271	156	198	203	212	341	268	254	496	275	284	6,509
Registered Voters	1,163	1,146	1,652	712	1,232	1,511	894	1,073	1,195	1,041	1,317	1,349	1,040	1,252	1,033	1,160	1,390	1,273	1,272	1,185	925	1,919	1,462	1,453	29,679
Voted	439	405	630	233	366	538	323	465	569	550	489	481	441	395	279	351	358	346	549	448	380	720	440	498	10,693
																							Voted	36.03%	



## TOWN MEETING MEMBERS

## PRECINCT ONE

Three Years	Herbert Abrams, 65 Chatham Street .....	506*
	David Baer Cotton, 122 Sewall Avenue .....	329*
	Jacob P. Drukman, 65 St. Mary's Street .....	437*
	Leonard Kopelman, 60 Beech Road .....	442*
	Richard M. Lee, 131 Carlton Street .....	330*
	Richard D. Stone, 82 Carlton Street .....	314
	Martha G. Edmondson, 115 Freeman Street .....	396*
	James V. Esposito, 1063 Beacon Street .....	206
	Joan J. Fried, 36 Amory Street .....	494*
	Lawrence S. Leland, 56 Hawes Street .....	274
	Samuel Ross, 1135 Beacon Street .....	202
	Charles R. Schnare, 342 St. Paul Street .....	318

## PRECINCT TWO

Three Years	Celia L. Alpern, 186 Pleasant Street .....	402*
	Sylvester Kaufman, 26 Babcock Street .....	377*
	Myron Robins, 130 Pleasant Street .....	388*
	Leon Rubin, 40 Babcock Street .....	380*
	Helen Spillane, 99 Stedman Street .....	330
	Abraham J. Zimmerman, 10 Bradford Terrace .....	427*
	James R. Donoghue, 50 Pleasant Street .....	319
	Lillian J. Freedman, 27 James Street .....	431*
	Benjamin Fritz, 123 Stedman Street .....	199
	Robert M. Stein, 81 Crownshield Road .....	453*
Two Years	Paula Belsey, 130 Pleasant Street .....	401*
	Chester A. Rubin, 104 Pleasant Street .....	267
One Year	Frances Halpern, 9 Greenway Court .....	561*

## PRECINCT THREE

Three Years	Jeffrey T. Gilbert, 159 Kent Street .....	392*
	Ellen S. Heller, 51 St. Paul Street .....	416*
	Sidney Herman, 49 Alton Place .....	434*
	Mayno R. Sorensen, 71 Perry Street .....	399*
	Leonard Ziskend, 73 Park Street .....	334
	John A. Businger, 224 Aspinwall Avenue .....	415*
	Diana L. McClure, 16 Alton Place .....	432*
	Howard U. Passman, 15 Francis Street .....	248
	Stephen M. Weiner, 84 St. Paul Street .....	607*
	Charles E. Weymouth, 42 Harris Street .....	356
Two Years	Virginia T. Dirrane, 93 Toxteth Street .....	388*
	Cyrus Gardner, 14 Marion Street .....	326
	Norman C. Ross, 30 Francis Street .....	446*
	Anne T. Tambini, 54 Francis Street .....	162

## PRECINCT FOUR

Three Years	Aubrey C. Conrad, 22 High Street .....	473*
	Francis F. Doldt, 61 White Place .....	433*

Mary M. Joyce, 6 Juniper Street .....	476*
Charles W. Manning, Jr., 79 Brook Street .....	498*
Charles L. Maxon, 6 Juniper Street .....	395*
Thomas J. Ward, 10 Juniper Street .....	497*
Ann P. Mitchell, 15 Holden Street .....	370
John E. Murphy, Jr., 59 Linden Street .....	456*
Roger W. Stern, 44 Washington Street .....	313

## PRECINCT FIVE

Three Years	Edward J. Brady, 96 Davis Avenue .....	550*
	Thomas P. Condon, 210 Chestnut Street .....	663*
	John J. Doherty, 85 Highland Road .....	711*
	Thomas F. Ford, Jr., 16 Rice Street .....	615*
	Joseph S. Hart, 238 Cypress Street .....	593*
	Elizabeth M. Splaine, 224 High Street .....	575*
	Wolger W. Johnson, 100 Chestnut Street .....	266
Two Years	Helen E. Peters, 43 Allerton Street .....	507
	Joseph T. Racicot, 14 Milton Road .....	567*
	William J. Doherty, 7 Roberts Street .....	610*
	Samuel E. Shaw, II, 76 High Street .....	428

## PRECINCT SIX

Three Years	Aryeh R. Friedman, 11 Lowell Road .....	471*
	Edward Kerstein, 54 Gardner Road .....	468*
	Robert Kramer, 63 Griggs Road .....	600*
	Gerald S. Parker, 12 Lowell Road .....	477*
	Barton H. Tayer, 82 Harvard Avenue .....	315
	James M. Berenson, 53 Harvard Avenue .....	379
	James M. Brown, 63 Harvard Avenue .....	386
	Stephen Hollman, 30 Gardner Road .....	432*
	Ira A. Jackson, 59 Griggs Road .....	475*
One Year	John F. Kendrick, 31 Weybridge Lane .....	445*
	Henry Lefman, 504 Washington Street .....	282
	Ellsworth E. Rosen, 24 Griggs Road .....	394
	Natalie G. Zuckerman, 25 Stanton Road .....	434*

## PRECINCT SEVEN

Three Years	Wilfred D. Glazer, 266 Tappan Street .....	314
	Patricia C. Libbey, 322 Tappan Street .....	318
	Francis X. Meaney, 327 Clark Road .....	409*
	Harry Olins, 333 Clark Road .....	244
	David I. Sargon, 295 Clark Road .....	380*
	Dan S. White, 91 University Road .....	400*
	John Connorton, 181 Clark Road .....	416*
	Christopher Hussey, 125 Addington Road .....	224
	Sanford Konstadt, 135 Addington Road .....	441*
	Gretchen Mamis, 106 Colbourne Crescent .....	326*
	Martin C. Pizer, 55 Garrison Road .....	201
	John M. Reed, 166 Tappan Street .....	367*

## PRECINCT EIGHT

Three Years	Anita B. Mangiaracine, 121 Thorndike Street .....	292*
	J. Rosson Overcash, 91 Thorndike Street .....	281
	Henry Schwartz, 75 Lawton Street .....	410*
	Archie Silver, 64 Coolidge Street .....	344*
	Benjamin Stelow, 92 Beals Street .....	356*
	Maurice Davis, 19 Kenwood Street .....	374*
	Harvey A. Laboff, 73 Fuller Street .....	387*
One Year	J. Archer O'Reilly, III, 55 Naples Road .....	291*
	Albert S. Noah, 146 Thorndike Street .....	389*

## PRECINCT NINE

Three Years	Bertram R. Alkon, 84 Atherton Road .....	367*
	David H. Bloom, 1678 Beacon Street .....	415*
	Herman W. Hemingway, 309 Mason Terrace .....	345*
	George Michelson, 34 Orchard Road .....	382*
	Esther C. Saloman, 76 Winchester Street .....	389*
	Leo Waitzkin, 78 Salisbury Road .....	383*
	Philip S. Zoll, 94 Winchester Street .....	429*
	Abraham H. Fertig, 90 Winchester Street .....	324
	Samuel Hoffman, 48 Williams Street .....	263

## PRECINCT TEN

Three Years	Herbert K. Bremner, 60 Hyslop Road .....	404*
	Matthew Brown, 419 Clinton Road .....	463*
	Myer S. Cohen, 62 Clark Road .....	343
	James S. Jennison, 1902 Beacon Street .....	199
	Alexander Mason, 177 Buckminster Road .....	358*
	Muriel Harriet Allen, 114 Clinton Road .....	226
	Peter A. Banks, 21 Willow Crescent .....	362*
	Jonathan E. Fine, 184 Dean Road .....	521*
	Louise L. Green, 49 Clark Road .....	270
	Richard S. Hackel, 1809 Beacon Street .....	112
	Alan Hein, 206 Clark Road .....	266
	John R. Lake, 1891 Beacon Street .....	159
	Ethel S. Sadowsky, 15 Cleveland Road .....	442*
	James Segel, 129 Clinton Road .....	384*
	William F. Sullivan, 41 Brington Road .....	305

## PRECINCT ELEVEN

Three Years	John M. Hall, 157 Clyde Street .....	601*
	Thomas F. Larkin, 10 Country Road .....	654*
	Bertram R. Paley, 96 Arlington Road .....	520*
	Anne N. Baybutt, 55 Norfolk Road .....	397
	Solomon Berg, 50 Sargent Beechwood .....	506*
	Blake Cady, 77 Fairway Road .....	298
	Lorraine H. Fay, 15 Whitney Street .....	375
	Alvan D. Finn, 206 Crafts Road .....	371
	Morton Robert Godine, 9 Cary Road .....	561*
	John B. Livingstone, 47 Crafts Road .....	324
	Jean C. Stanbury, 43 Circuit Road .....	521*
	Robert H. Sturdy, 32 Kennard Road .....	656*



## PRECINCT TWELVE

*Three Years*

Richard B. Barkin, 11 Bellingham Road .....	316
Marion E. Fogerty, 87 South Street .....	389*
Samuel H. Glaser, 130 Beverly Road .....	347
Jerome Daniel Goodman, 100 Shaw Road .....	419*
Benjamin P. Ralen, 295 Russett Road .....	265
Michael S. Selib, 116 LaGrange Street .....	456*
Herbert L. Shivek, 86 Woodcliff Road .....	440*
Eliot Conviser, 164 LaGrange Street .....	358*
Regina M. Frawley, 366 Russett Road .....	171
William I. Frisch, 917 West Roxbury Parkway .....	189
Shalom Haase, 37 Risley Road .....	304
Barbara S. Rabinovitz, 132 Beverly Road .....	455*
Lee L. Selwyn, 26 Walnut Hill Road .....	291
Howard Weintraub, 59 Woodcliff Road .....	378*

\* Elected

We the undersigned Registrars of Voters hereby certify that we have canvassed the returns as made from each of the Polling Places with the within results and certify them to be correct.

EDWARD O'HEARN MULLOWNEY

C. BARNARD TUCKER

WILLIAM B. HICKEY

THOMAS F. LARKIN

*Registrars of Voters*

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26.	Accelerated Highway Program — (Ch. 768 Acts of 1969) (\$96,958.48) .....
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## ANNUAL TOWN MEETING, MARCH 24, 1970

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town meeting members qualified to act in Town meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline, March 10, 1942, the Town meeting members, so qualified, met at the High School Auditorium in said Town on Tuesday, the twenty-fourth day of March, 1970 at half past seven in the evening.

Lists of duly qualified Town meeting members were used at the entrances to the meeting place and were in charge of Edward Fahey, Edward Kelly, Jeremiah Mullins and Robert Breen, checkers, who were sworn to the faithful discharge of their duties by the Town Clerk. The list contained the names of two hundred seventy-three (273) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline. No Town Meeting Member was allowed within the rail until his name had been checked on the list.

At forty-five minutes past seven o'clock the checkers reported that one hundred seventy-six (176) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present. The meeting was called to order by the Moderator, Justin L. Wyner.

The first verse of "The Star Spangled Banner" was sung by the audience accompanied at the piano by Robert I. Sperber, Superintendent of Schools.

Invocation by Monsignor Francis J. Sexton, pastor of St. Mary of the Assumption Church, in Brookline.

The Moderator requested the Town Meeting Members to remain standing in respect to the members and former members who died since the last annual Town Meeting.

The Town Clerk read the following list:

Name	Term	Date of Death
Joseph R. Hingston	1929-1942	July 25, 1969
	1948-1951	
Saul Wallen	1960-1961	August 5, 1969
Joseph A. Crowley	1940-1957	September 16, 1969

The following Resolve to Benjamin A. Trustman was read by George V. Brown, Jr., Chairman of the Board of Selectmen:

A RESOLVE TO BENJAMIN A. TRUSTMAN

WHEREAS Benjamin A. Trustman has recently completed fourteen years of service as our Town Moderator, during which time he also served as President of the Massachusetts Moderators' Association and co-authored the authoritative reference work "Town Meeting Time," and

WHEREAS our former Moderator discharged the duties of his office in a manner so admirable that Brookline Town Meetings, under his guidance, were always noted for and characterized by adequate deliberation, full discussion, and a minimum of repetition by speakers on a given subject, thereby assuring the efficient disposition of Town business, and

WHEREAS he conducted his important office with fidelity, rare ability, and a conscientious devotion to the highest ideals of our democratic processes which have won for him and the Town of Brookline renown throughout the Commonwealth, and

WHEREAS in addition to being recognized nationally as an important authority in the field of town government, he has proven himself to be a man of great compassion who has served many humanitarian causes with great distinction, always holding aloft his steadfastness of purpose as a public servant, lawyer and citizen,

BE IT THEREFORE RESOLVED that we, the Town Meeting Members assembled this 24th day of March, 1970, do salute, with the townspeople of Brookline, this learned and honorable gentleman and request that this resolve become part of the Town Meeting Record to the end that we extend a sincere thank you for a job well done to Benjamin Arthur Trustman.

The above Resolve was adopted unanimously, was so declared by the Moderator, and is so recorded.

The Moderator appointed the following members as tellers: George Michelson, Charles W. Hubbard, III, Abraham J. Zimmerman, Bertram J. Dane, John J. Doherty and Mary M. Joyce. They were sworn to the faithful performance of their duties by the Town Clerk.

Mr. George V. Brown, Jr., Chairman of the Board of Selectmen, addressed the meeting.

Mr. Harold Kaitz, Chairman of the Advisory Committee, addressed the meeting.

At the request of the Moderator all the newly elected Town Meeting Members were sworn to the faithful performance of their duties by the Town Clerk.

The Moderator scheduled Articles 13 through 23, excluding Article 19, to be the first order of business on Wednesday, March 25, 1970, after completing any Article then under consideration; and that Article 19 be

the first order of business on Tuesday, March 31, 1970, after completing any Article then under consideration; and Article 40 be the first order of business on Wednesday, April 1, 1970, after completing any Article then under consideration.

FIRST ARTICLE. To see if the Town will vote that the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

On motion of George V. Brown, Jr., it was unanimously:

Voted: That the number of Measurers of Wood and Bark be two, to be appointed by the Selectmen.

SECOND ARTICLE. To see if the Town will authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue for the financial years beginning January 1, 1970 and January 1, 1971, in accordance with the provisions of the General Laws, Chapter 44, section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of Section 17, of Chapter 44 of the General Laws, as amended, or take any other action relative thereto.

On motion of Robert C. Cochrane, Jr., it was unanimously:

Voted: To authorize the Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue for the financial years beginning January 1, 1970 and January 1, 1971, in accordance with the provisions of the General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of the General Laws, Chapter 44, Section 17.

At thirty minutes after eight o'clock a motion of Robert C. Cochrane, Jr. it was unanimously:

Voted: To recess the Annual Town Meeting until the Special Town Meeting called for at eight thirty P.M. is recessed or dissolved.

The Moderator called the Special Town Meeting to order.

On motion of Sumner Z. Kaplan, it was unanimously:

Voted: To recess the Special Town Meeting until eight thirty P.M. on Tuesday, March 31, 1970.

The Annual Town Meeting was reconvened at thirty-two minutes after eight o'clock and was called to order by the Moderator, Justin L. Wyner.



**THIRD ARTICLE.** To see if the Town will amend Article 1-B of the By-Laws of the Town by adding, deleting or substituting positions or classes in the Classification Plan, or will otherwise amend said Article 1-B, and will amend the Pay Plan by establishing, deleting or substituting minimum, maximum or flat rate salaries for any position or class which may have been added to, deleted from or substituted in the Classification Plan under this Article, or by changing any of the existing salaries, or by amending the general provisions with respect to sick leave, vacation leave and the like; or will otherwise amend said Pay Plan.

On motion of Harold Kaitz it was:

**Voted:** To amend said Article 1-B (Classification and Pay Plans) of the By-Laws of the Town as follows:

(a) By Adding the following new classifications and assigned pay grades, subject to prior approval by the Appointing Authority, Commission, if any, the Board of Selectmen and the Civil Service Commission, together with such title verification or title change, competitive or promotional examinations as may be required by the Civil Service Director where applicable:

- (1) Assistant Superintendent of Forestry Grade G-16  
(Minimum \$201.50 — Maximum \$216.50)
- (2) Senior Water Meter Reader Grade G-9  
(Minimum \$142.50 — Maximum \$151.50)
- (3) Senior Statistical Machine Operator G-5  
(Minimum \$124.00 — Maximum \$133.00)

(b) By Reallocating the following classifications in the Classification and Pay Plans to lower pay grades in accordance with Section 5 of the Personnel By-Law:

- (1) Parks Division Foreman  
from G-16 (Minimum \$201.50 — Maximum \$216.50)  
to G-15 (Minimum \$186.50 — Maximum \$198.50)
- (2) Library Guard  
from G-8 (Minimum \$138.00 — Maximum \$147.00)  
to G-5 (Minimum \$124.00 — Maximum \$133.00)

(c) By changing the title of the following classification in the Classification and Pay Plans and reallocating it to a lower pay grade in accordance with Section 5 of the Personnel By-Law:

- (1) Senior Accountant-Retirement Board  
Grade G-16 (Minimum \$201.50 — Maximum \$216.50) to  
Retirement Board Technician Grade G-12  
(Minimum \$164.50 — Maximum \$176.50)

On motion of Eleanor Myerson, it was:

**Voted:** To amend the Classification and Pay Plan as follows:

1. That the maximum and flat rate wages of all employees in the Classification and Pay Plans be increased by 5.5% effective April 1, 1970;

2. That the new salary maximum and flat rates be rounded off to the next higher half dollar;

3. That the new salary minimum be established four steps below the new maximum for each grade except for Grade P-2, Patrolman, and Grade F-1, Fire Alarm Operator, Firefighter, which minimum shall be established two equal steps below the new maximum.

4. That comparable adjustments be made in the pay rates for the miscellaneous positions which are in the Classification Plan but are not included in the F, G, P, L Classifications.

On motion of Herbert Abrams, it was unanimously:

Voted: To amend the Classification and Pay Plans by adding the following section entitled "Night Differential-Certain Classifications" to the Miscellaneous Regulations Affecting Salaries:

#### NIGHT DIFFERENTIAL-CERTAIN CLASSIFICATIONS

A night differential of \$1.00 per night shall be payable to all Civil Service Labor Service and Custodial employees who work night shifts, as approved by the Personnel Board, as part of their regularly scheduled work week. Such differential is not payable to employees who regularly work day shifts when assigned to work night shifts on an overtime basis. The night differential is not to be included in the computation of any overtime payments.

On motion of Herbert Abrams, it was unanimously:

Voted: To amend the Classification and Pay Plans by adding the following third paragraph to the section entitled "Step Rate Increases" of the Miscellaneous Regulations Affecting Salaries:

Permanent employees who are provisionally promoted to a higher classification shall receive the minimum rate of that classification until they are permanently appointed to that classification following certification by the Division of Civil Service. Upon permanent appointment, the employee shall be given wage credit for all such continuous provisional promotional service and advanced to the proper step based on such service in accordance with the above procedures. Following permanent promotion, the employee shall be paid a lump sum to cover the amount of the steps which he would have received had he been permanently appointed to the higher classification from the first day of continuous service in provisional promotion status. No provisional promotion may extend beyond the second scheduled promotional examination following the date of such promotion except in unusual cases with the approval of the Personnel Board.

On motion of Herbert Abrams, it was unanimously:

Voted: To amend the section entitled "Uniform Allowance" of the General Provisions of the Pay Plan by deleting the words "one hundred dollars (\$100.00) per annum" and the words "seventy-five dollars (\$75.00) per annum" and substituting therefor the words "one hundred fifty dollars (\$150.00) per annum" and the words "one hundred ten dollars (\$110.00) per annum."

On motion of Herbert Abrams, it was unanimously:

Voted: To delete the section entitled "Firefighters Work Schedule and Overtime" of the General Provisions of the Pay Plan and to substitute therefor the following section:

#### FIREFIGHTERS WORK SCHEDULE AND OVERTIME

Firefighters shall work an average of 42 hours per week. If a Firefighter works one-half hour beyond his regular tour, he shall be paid at time and one-half for all authorized time worked retroactive to the end of his regular tour. Firefighters shall be compensated at time and one-half for authorized time worked when they are called in on an unscheduled day.

On motion of Herbert Abrams, it was unanimously:

Voted: To delete the section entitled "Police Officers Work Schedule and Overtime" of the General Provisions of the Pay Plan and to substitute therefor the following section:

#### POLICE OFFICERS WORK SCHEDULE AND OVERTIME

The scheduled work week of a Police Officer shall consist of an average of 40 hours. Police Officers shall be compensated for overtime work as provided for in current, written collective bargaining agreements between the Town and the Brookline Police Association.

On motion of Robert C. Cochrane, Jr., it was:

Voted: To amend the Personnel By-Law by changing the title of Section 8 from "Records and Requisitions" to "Records, Requisitions, and Other Personnel Actions" and by adding the following sentence at the end of that section:

When necessary to ensure the proper administration of the Classification and Pay Plans, the Administrative Assistant to the Executive Secretary-Personnel may take, to the extent authorized him in writing from time to time by the Personnel Board, any action which the Personnel Board can take under this By-Law, except any action under the provisions of Section 13 pertaining to Grievance Procedure, subject, however, to early ratification or rejection by the Personnel Board.

FOURTH ARTICLE. To see if the Town will amend the Town by-laws by adding thereto Article XXVI, as follows:

#### ARTICLE XXVI

##### *Public Relations and Information*

The Town may appropriate money to be expended by the Personnel Board, with the approval of the Selectmen, for the purpose of furnishing information, including, without limitation, the results of its investigations, its opinions and recommendations, to the inhabitants of the town or any thereof, pertaining to an article or



articles in the warrant for a town meeting which relate to wages, hours or other conditions of employment of town employees.

On motion of George V. Brown, Jr., it was:

Voted: To amend the Town by-laws, by adding thereto Article XXVI as follows:

#### ARTICLE XXVI

##### *Public Relations and Information*

The Town may appropriate a sum not to exceed \$1,500.00 in any year to be expended by the Personnel Board, with the approval of the Selectmen, for the purpose of furnishing information including, without limitation, the results of its investigations, its opinions and recommendations, to the inhabitants of the town or any thereof, pertaining to an article or articles in the warrant for a town meeting which relate to wages, hours or other conditions of employment of town employees.

The above vote was taken by count, one hundred twenty-one (121) voted in the affirmative and ninety-nine (99) voted in the negative.

On motion of Sumner Z. Kaplan, it was unanimously:

Voted: That the next session of the Annual Town Meeting be held on Wednesday, March 25, 1970 at 7:30 P.M. in the same place.

**FIFTH ARTICLE.** To see if the Town will amend Article 1-B (Classification and Pay Plans) of the Town by-laws so that the last paragraph of section 3 thereof shall read as follows:

Thereupon, the Selectmen shall insert in the Warrant for the Annual Town Meeting an article or articles sufficiently stated to carry out the recommendations of the Personnel Board which are approved by the Selectmen, and the Selectmen, in their report on the articles in the Warrant, shall submit forms of votes to carry out such recommendations so approved. A motion to amend any of said proposed votes, which has been presented and moved at the Town Meeting, shall require a two-thirds vote of the Town Meeting for passage, unless the Personnel Board and the Board of Selectmen are agreeable to the proposed amendment, in which event, a majority vote shall be sufficient. A motion to take other action at said meeting, which, in the judgment of the Moderator, is inconsistent with or substantially modifies any of said proposed votes, shall also require a two-thirds vote of the Town Meeting for passage, unless the Personnel Board and the Board of Selectmen are agreeable thereto, in which event a majority vote shall be sufficient. The Selectmen shall include in their Report on the Articles in the Warrant for such meeting the final report and recommendations of the Personnel Board.

On motion of Sumner Z. Kaplan, it was:

Voted: That the Moderator appoint a Committee of 5 to determine whether there is a need for a mechanism to compensate for the collective bargaining statute of 1965, to determine such mechanism and to submit its report in writing to the next annual Town Meeting. In the course of

its deliberation the Committee may consider, but not be limited to, the subject matter of Article 5. The Committee shall hold public hearings, in the course of its deliberations.

The above vote was adopted by a hands vote as substitute and as main motion.

**SIXTH ARTICLE.** To see if the Town, pursuant to the provisions of Section 90A of Chapter 32 of the General Laws will increase the retirement allowance of any former employee of the Town who was retired on account of injury sustained in the performance of his duty.

On motion of Eleanor Myerson, it was unanimously:

**Voted:** To increase the retirement allowance of Joseph W. Bagley, John F. Flood, Herbert F. Lynn, Edward J. McCracken, Cornelius G. Murphy, John J. Riley, Dennis J. Scully, Louis Yaitanes and Peter Yaitanes of the Police Department; James J. Cunniff, Arthur E. Cushing, Harold J. Doldt, Michael J. Hughes, Michael G. Haggerty, Thomas J. Judge, Jr., George W. Knowles, Martin T. Lally, Thomas J. Mahon, Jr., Thomas F. J. Malloy, Thomas E. Manning, Joseph C. Murray, William J. Newman, Francis H. Norton, Robert J. O'Connor, James O'Donnell, John D. Patterson, Leonard E. Prendergast, Harry A. Rowe, George J. Salah and John F. Taylor of the Fire Department; Edmund J. Barrett, Walter W. Carroll, Henry G. Hennessy, James T. Kilroy, James J. Magee, Peter Marino, John T. Mooney, Jr., William E. Saltzman, Lawrence F. Shea and Lawrence E. Tarbox, of the Public Works Department; Francis McEntee of the Cemetery Department, and Helen Sherman of the School Department, who were retired under the provisions of Chapter 32 of the General Laws on account of injuries sustained in the performance of their duties, to an amount in each case equal to one-half the rate of regular compensation now payable to employees of the Town holding similar positions in the same grade or classification occupied by them at the time of their retirement.

A two-thirds vote being required, the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

**SEVENTH ARTICLE.** To act upon the appropriations asked for or proposed by the Selectmen or by any other officer, board or committee, and to fix the salary or other compensation of all elected officers of the Town as provided in Section 108 of Chapter 41 of the General Laws, as amended.

On motion duly made and seconded all items were voted unanimously, except items 2, 13, 14, 16, 20, 21, and 22, which were by a majority vote:

FOR EXPENSES OF GENERAL GOVERNMENT, specifically appropriated as follows:

**A.**

1. Selectmen .....	\$ 167,679.00
The salaries of the Selectmen shall be at the rate of \$3,500 per annum for the chairman and at the rate of \$2,500 per annum for each of the other four.	
2. Advisory Committee .....	1,450.00
3. Planning Board .....	63,247.00
4. Town Clerk .....	159,780.00
The salary of the Town Clerk shall be at the rate of \$16,250.00 per annum provided that all fees received by him by virtue of his office shall be paid into the Town Treasury for the use of the Town.	
5. Legal Expenses .....	90,395.00
(a) Indemnifications — G. L.	
Chap. 41, Sec. 100A .....	3,000.00
6. Comptroller .....	136,203.00
7. Treasurer and Collector .....	81,876.00
Of this amount \$7,886.30 is to be taken from the account entitled Parking Meter Fees, and \$73,989.70 be included in the tax levy of 1970. The salary of the Treasurer and Collector shall be at the rate of \$18,000.00 per annum provided that all fees received by him by virtue of his offices shall be paid into into the Town Treasury for the use of the Town.	
8. Assessors .....	57,625.00
9. Purchasing .....	58,481.00
10. Town Hall .....	87,169.00
11. Repairs to Public Buildings .....	84,135.00
\$ 991,040.00	



## B.

FOR MAINTAINING THE PUBLIC SAFETY, specifically appropriated as follows:

12. Police Department .....	\$1,831,256.00	
Of this amount \$56,414.20 is to be taken from the account entitled Parking Meter Fees, and \$1,774,841.80 be included in the tax levy of 1970.		
Not more than \$2,500.00 may be used for educational courses and study out of State including travel.		
13. Traffic and Parking .....	58,460.00	
14. Fire Department .....	2,459,350.00	
The salary of the Fire Commissioner shall be at the rate of \$750 per annum.		
15. Building Inspection .....	158,986.00	
		\$4,508,052.00

## C.

FOR PUBLIC WORKS, specifically appropriated as follows:

16. Personal Services .....	\$2,309,539.00	
17. Maintenance of Public Works .....	989,605.00	
Of this amount \$52,000.00 is to be taken from the account entitled Parking Meter Fees, and \$3,247,144.00 be included in the tax levy of 1970.		\$3,299,144.00

## D.

FOR PUBLIC HEALTH

18. Health Department .....	\$ 449,314.00
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## E.

FOR VETERANS' SERVICES, specifically appropriated as follows:

19. Veterans' Services .....	\$389,733.00	
20. Quarters for Veterans' Organizations ....	6,000.00	\$ 395,733.00

**F.**

FOR MAINTAINING THE PUBLIC SCHOOLS, specifically appropriated as follows:

21. Instructional Services ..	\$6,289,881.00	
22. Supportive Services .....	3,108,993.00	
Total of above two items .....		\$9,398,874.00
Less amounts available from P.L. 864 and 874 accounts .....		92,946.00
		<b>*\$9,305,928.00</b>

The expected amount which the Town will receive under Chap. 643, Acts of 1948, in 1970, from School Aid and other sources is:

Estimates of School Aid and State reimbursements \$677,000.00.

Estimated amount of Construction grants: \$104,661.00.

Estimates of other receipts on account of School support \$80,500.00.

Total estimated receipts on account of School support \$862,161.00.

\*Of this amount not more than \$16,470.00 is available for travel outside of State and salary adjustments shall be retroactive to January 1, 1970 for certain employees.

**G.**

FOR MAINTAINING THE LIBRARIES, specifically appropriated as follows:

**Public Library**

23. Personal Services .....	\$ 492,826.00	
24. Maintenance of Library .....	185,000.00	
Of this amount \$13,511.00 is to be taken from the account entitled State Aid for Free Public Libraries and \$664,315.00 be included in the tax levy of 1970.		<b>\$ 677,826.00</b>

**H.**

FOR COUNCIL FOR THE AGING, specifically appropriated as follows:

25. Council for the Aging .....	<b>\$ 9,000.00</b>
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## I.

FOR CONSERVATION COMMISSION, specifically appropriated as follows:

26. Conservation Commission .....	\$ 3,390.00
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## J.

FOR MAINTENANCE AND CONSTRUCTION OF PARKS AND PUBLIC GROUNDS,  
RECREATION AND FOR THE SUPPRESSION OF INSECTS AND THE PLANT-  
ING AND PRESERVING OF TREES, specifically appropriated as follows:

Park and Recreation Department

27. Personal Services .....	\$1,152,380.00
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28. Maintenance of Parks and Public Grounds and Recreation .....	348,380.00
	\$1,500,760.00

Forestry Department

29. Personal Services .....	126,387.00
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30. Planting and Preserving Trees and Sup- pression of Insects (Including Dutch Elm Disease) .....	57,910.00
	\$ 184,297.00

\$1,685,057.00

A two thirds vote being required under item 30, the vote was passed unanimously, was so declared by the Moderator, and is so recorded.

## K.

FOR MAINTENANCE AND CARE OF CEMETERIES:

31. Care of Cemeteries .....	\$ 87,911.00
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Of this amount \$19,027.75 is to be taken from receipts in Walnut Hills Cemetery accounts, the sale of lots and miscellaneous and \$68,883.25 be included in the tax levy of 1970.

## L.

FOR RENT REVIEW AND GRIEVANCE BOARD, specifically appropriated as follows:

32. Rent Review and Grievance Board .....	\$ 32,865.00
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## M.

FOR YOUTH RESOURCES COUNCIL, specifically appropriated as follows:

33. Youth Resources Council ..... \$ 68,974.00

## N.

FOR UNCLASSIFIED EXPENSES, specifically appropriated as follows:

34. Store Account .....	\$ 1,000.00	
35. Travel Outside State:		
(a) On orders of the Board of Select-		
men .....	9,760.00	
36. Central Telephone Service .....	70,000.00	
37. Printing Warrants and Reports .....	30,000.00	
38. Contingencies Account .....	55,000.00	
39. Reserve Fund .....	275,000.00	
40. Group Insurance .....	420,000.00	
41. Retirements and Pensions		
(a) Contributory .....	758,795.00	
(b) Non-Contributory .....	822,023.00	
42. Workmen's Compensation .....	159,597.00	
To be paid upon orders of the Work-		
men's Compensation Agent approved		
by the Board of Selectmen.		
43. Dues — Mass. League of Cities and		
Towns .....	3,695.00	
44. Central Xerox Service and Supplies .....	7,500.00	
45. General Services .....	23,375.00	
46. Central Postage Meter .....	18,000.00	
47. Property & Boiler Insurance .....	57,765.00	
48. Revision of Building Code .....	3,500.00	
49. Committee on Urban Responsibility ....	12,560.00	
		\$2,727,570.00

## O.

FOR INTEREST ON THE TOWN DEBT AND TEMPORARY LOANS, AND FOR SO MUCH OF THE PRINCIPAL OF THE TOWN DEBT AS MATURES DURING THE CURRENT FISCAL YEAR:

50. Payment on Maturing Funded Debt ....	\$ 814,000.00	
51. Interest on Funded Debt .....	210,000.00	
52. Miscellaneous Interest and Fees .....	264,000.00	
53. Certification of Bonds .....	5,000.00	
		\$1,293,000.00

**FOR ADJUSTMENTS IN SALARIES:**

Salary Adjustments .....	\$ 395,000.00
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To provide adjustments in the salaries of officers as may be determined by the Board of Selectmen, and of employees included within the pay plan effective April 1, 1970, \$375,000.00; and for adjustments in the salaries of the Public Library \$20,000.00; the proper amounts to be allocated by the Comptroller to the various departments as may be required to pay said adjustment and thereafter said amount to be paid from the Treasury upon the orders of the various boards and heads of departments concerned, with the approval of the Selectmen.

The salaries voted herein for officials and employees shall be for the twelve months beginning April 1, 1970.

Expenditures chargeable to funds provided in the 500 Group Accounts (capital expenditures) of the various departmental appropriations for the purchase of equipment shall be restricted to the items and amounts specified in the respective departmental estimates and recommended by the Advisory Committee, as they may be amended by action of the Town at a Town Meeting, unless specific authorization for a change therein is voted by the Selectmen.

Expenditures chargeable to funds provided in the 100 Group Accounts (Personal Services) of the various department appropriations shall be limited (a) to the number of positions in each pay or salary classification and (b) as to each position not in the official Classification Plan, to the amount of compensation set forth in the respective departmental estimates and recommended by the Advisory Committee, as they may be amended by action of the Town at a Town Meeting unless specific authorization for a change therein is voted by the Selectmen. Budgetary items for overtime shall be restricted to expenditures for that specific purpose and are not to be computed in the overall amount available to the department for Personal Services. The provisions of this subparagraph shall not apply to the appropriation for Public Schools.

Expenditures chargeable to funds provided in the 100 Group Accounts (Personal Services) of the various departmental appropriations shall be

restricted to the total amounts set forth in the respective departmental estimates and recommended by the Advisory Committee, as they may be amended by action of the Town at a Town Meeting and used for 100 Group Accounts only, as if these amounts were voted separately in the appropriation vote.

Whenever materials are furnished by one department for another department the cost of which is charged in the first instance to the appropriation of the former department, credit shall forthwith be given to the former department upon the books of the Comptroller, upon the approval of the latter department and of the officers authorized to draw orders against the appropriations therefor.

Twelve months after the completion and acceptance of any construction voted under any Article at this Town Meeting, all unencumbered funds shall be closed to the Surplus Revenue of the Town, or otherwise disposed of in accordance with the provisions of appropriate statutes and no further expenditures shall be authorized.

Expenditures chargeable to code 2500 — Repairs to Public Buildings — shall be restricted to the numbered items and amounts specified in the departmental estimates and recommended by the Advisory Committee, as they may be amended by action of the Town at a Town Meeting, unless specific authorization for a change therein is voted by the Selectmen.

NOTE: Items 21, 22, 27, 28, 32, 33, 35, 43 and 49 were voted at the Recessed meeting held on March 25, 1970.

At twenty-five minutes after eleven o'clock on motion it was:

Voted: To recess this meeting until Wednesday, March 25, 1970 at half past seven in the evening, at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred forty-three (243) Town Meeting members had been checked as present at this meeting.

Recessed:

THOMAS F. LARKIN  
Town Clerk



## RECESSED ANNUAL TOWN MEETING MARCH 25, 1970

In accordance with the vote passed at the Annual Town Meeting on March 24, 1970, the Town Meeting members met at the High School auditorium on Wednesday, March 25, 1970 at half past seven in the evening.

No Town Meeting Member was allowed within the rail until his name had been checked on the list.

At forty-five minutes after seven o'clock the checkers reported that one hundred sixty-eight (168) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

At the request of the Moderator the Town Clerk swore to the faithful performance of their duties all Town Meeting Members not heretofore sworn.

Article 7 continued.

Items 21, 22, 27, 28, 32, 33, 35, 43 and 49, previously held, were voted.

On motion of Sumner Z. Kaplan, it was unanimously:

**Voted:** That the next session of the Annual Town Meeting be held on Tuesday, March 31, 1970 at 7:30 P.M. in the same place.

**THIRTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of two hundred thousand dollars (\$200,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for a new William H. Lincoln School to accommodate 675 students of kindergarten through grade eight, inclusive, on certain parcels of land on Kennard and Hedge Roads, commonly referred to as the Park School site, the acquisition of which was authorized by the 1969 Annual Town Meeting.

On motion of Jacques M. Dronsick, it was:

**Voted:** To raise and appropriate the sum of two hundred thousand dollars (\$200,000), to be expended by the Building Commission, with the

approval of the Selectmen and of the School Committee, for architectural plans and specifications for a new William H. Lincoln School to accommodate 675 students of kindergarten through grade eight, inclusive, on certain parcels of land on Kennard and Hedge Roads, commonly referred to as the Park School site, the acquisition of which was authorized by the 1969 Annual Town Meeting.

**FOURTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of twenty-five thousand dollars (\$25,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the Heath School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fourth Article in the Warrant for that Meeting.

On motion of Jacques M. Dronsick, it was:

**Voted:** To raise and appropriate the sum of twenty-five thousand dollars (\$25,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the Heath School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fourth Article in the Warrant for that Meeting.

**FIFTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the Lawrence School, which amount is to be in addition to the sum of forty thousand dollars (\$40,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fifth Article in the Warrant for that Meeting.

On motion of Jacques M. Dronsick, it was:

**Voted:** To raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee for architectural plans and specifications for additions and alterations to the Lawrence School, which amount is to be in addition to the sum of forty thousand dollars (\$40,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Fifth Article in the Warrant for that Meeting.

SIXTEENTH ARTICLE. To see if the Town will raise and appropriate the the sum of twenty-two thousand dollars (\$22,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the John D. Runkle School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Sixth Article in the Warrant for that Meeting.

On motion of Jacques M. Dronsick, it was:

Voted: To raise and appropriate the sum of twenty-two thousand dollars (\$22,000), to be expended by the Building Commission, with the approval of the Selectmen and of the School Committee, for architectural plans and specifications for additions and alterations to the John D. Runkle School, which amount is to be in addition to the sum of forty-five thousand dollars (\$45,000) for the same purposes which was appropriated by the 1969 Annual Town Meeting under the Twenty-Sixth Article in the Warrant for that Meeting.

SEVENTEENTH ARTICLE. To see if the Town will appropriate an additional sum of seventy-nine thousand dollars (\$79,000) to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages or other costs and expenses in connection therewith, and approved under the aforementioned Twenty-second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the Town therefor.

On motion of George V. Brown, Jr., it was unanimously:

Voted: To raise and appropriate the sum of seventy-nine thousand dollars (\$79,000) to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages or other costs and expenses in connection therewith, and approved under the aforementioned Twenty-



second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School; of which appropriation a sum not exceeding sixteen thousand dollars (\$16,000) may be expended for necessary relocation costs and moving expenses as provided in G.L., C. 79, section 6A.

A two-thirds vote being required, the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

On motion of George V. Brown, Jr., it was unanimously:

Voted: That the Treasurer be authorized, when so directed by the Selectmen, to borrow the sum of sixty thousand dollars (\$60,000) of the amount appropriated by the preceding vote to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages or other costs and expenses in connection therewith, and approved under the aforementioned Twenty-second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School, and to issue bonds or notes therefor, payable in accordance with the provisions of Chapter 44 of the General Laws as amended so that the whole loan shall be paid in not more than ten years from the date of the issuance of the first bond or note; and the amount of nineteen thousand dollars (\$19,000) to be raised in the 1970 tax levy. None of the funds borrowed hereunder shall be expended for relocation costs or moving expenses pursuant to G.L., C. 79, s. 6A.

A two-thirds vote being required, the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

**EIGHTEENTH ARTICLE.** To see if the Town will raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the School Committee, with the approval of the Selectmen, for the installation of sprinkler systems, fire detection devices, and fire protection enclosures for Class A flammables in the High School and elementary school buildings which have been recommended by the Chief of the Brookline Fire Department and by the Underwriters of the insurance carrier for the Town.

On motion of Jacques M. Dronsick, it was unanimously:

Voted: To raise and appropriate the sum of seventy thousand dollars (\$70,000), to be expended by the School Committee, with the approval of

the Selectmen, for the installation of sprinkler systems, fire detection devices, and fire protection enclosures for Class A flammables in the High School and elementary school buildings which have been recommended by the Chief of the Brookline Fire Department and by the Underwriters of the insurance carrier for the Town.

**TWENTIETH ARTICLE.** To see if the Town will vote that the remodeling and renovation plans for the Heath-Baldwin and John D. Runkle schools consist in the main of new additions; that there be "no 'gutting' or removal of interior walls" (except where it is necessary to enlarge an existing facility) "and only minimal changes in classrooms in existing buildings," and that the facilities, such as the large audio-visual centers which are to replace the school libraries should be a part of the additions.

On motion duly made and seconded, it was:

Voted: That No Action be taken under this Article.

**TWENTY-FIRST ARTICLE.** To see if the Town will raise and appropriate the sum of one hundred seventy-five thousand dollars (\$175,000) to be expended by the Building Commission with the approval of the Selectmen and the School Committee for architectural plans and specifications for a new Lawrence School on the existing site, to accommodate 675 pupils of Kindergarten through Grade 8 inclusive, or will take any other action with respect thereto.

On motion duly made and seconded, it was:

Voted: That No Action be taken under this Article.

**TWENTY-SECOND ARTICLE.** To see if the Town will raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be expended by the Building Commission with the approval of the Selectmen and the School Committee for architectural plans and specifications for additions and minimal alterations to the Heath-Baldwin School to accommodate 675 pupils of kindergarten through grade eight inclusive, or will taken any other action with respect thereto.

On motion duly made and seconded, it was:

Voted: That No Action be taken under this Article.

**TWENTY-THIRD ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of eighty-five thousand dollars (\$85,000) to be expended by the School Committee with the approval of

the Advisory Committee, to provide a comprehensive plan for the operation of the Brookline School system for the next decade.

This plan should show yearly proposed expenditures for operations, buildings and capital expenditures on a detailed basis. Anticipated policy and curriculum changes should be detailed along with means and costs of implementing them. Back-up data should include projected student population size and geographical distribution in the Town; Most important, Brookline's education goals should be specified in detail, along with the means that will be utilized to assess whether or not these goals are being, and have been achieved.

On motion duly made and seconded, it was:

*Voted:* That No Action be taken under this Article.

At twenty minutes after eleven o'clock on motion it was:

*Voted:* To recess this meeting until Tuesday, March 31, 1970 at half past seven in the evening at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred thirty-three (233) Town Meeting Members had been checked as present at this meeting.

Recessed.

THOMAS F. LARKIN  
*Town Clerk*



## RECESSED ANNUAL TOWN MEETING MARCH 31, 1970

In accordance with the vote passed at the Annual Town Meeting on March 25, 1970, the Town Meeting Members met at the High School Auditorium on Tuesday, March 31, 1970 at half past seven in the evening.

No Town Meeting Member was allowed within the rail until his name had been checked on the list.

At fifty minutes after seven o'clock the checkers reported that one hundred forty-six (146) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

At the request of the Moderator the Town Clerk swore to the faithful performance of their duties all Town Meeting Members not heretofore sworn.

The following "In Memoriam" for Thomas P. Kendrick, M.D., was read by Jacques M. Dronsick, Chairman of the School Committee and was unanimously adopted.

### IN MEMORIAM THOMAS PAUL KENDRICK, M.D.

Distinguished physician and scholar,  
athlete and veteran, mentor,  
leader and friend.

A native of Brookline and a graduate of Brookline Schools, of Catholic University and Harvard Medical School.

Medical Examiner of Norfolk County.

Recipient of the Brookline Rotary Club's Distinguished Public Service Award.

Concerned with man's total well-being . . . with his academic pursuits and and his intellectual development and with his recreational pursuits and his physical development. He served his community with purpose and perspective, with courage and honor, with commitment and with compassion.

In the service of two agencies of the Town, he gave the equivalent of eight decades of service.

He served the School Committee with distinction from 1928 until his passing.

He served the Park and Recreation Commission with distinction from 1935 until his passing.

He was a member of Town Meeting from 1928 until his passing.

A scant 48 hours before his demise — placing the needs and the welfare of the Town above his personal welfare, he stood before this Town Meeting to make a vigorous plea for the Schools of Brookline which were such an important part of his life.

Thus did Tom Kendrick serve his beloved Brookline to the end of his days.

The citizens of Brookline, represented by the members of this Town Meeting will always remember and be grateful for the fierce dedication and selfless devotion which were so characteristic of Thomas Paul Kendrick, M.D.

July 4, 1896 — March 27, 1970

Requiescat in Pace.

The Moderator requested that the Selectmen have this Memoriam properly engraved and a copy sent to his family.

On motion of Sumner Z. Kaplan, it was unanimously:

**Voted:** That the next session of the Annual Town Meeting be held on Wednesday, April 1, 1970 at 7:30 p.m. in the same place.

**NINETEENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds the sum of five hundred thousand dollars (\$500,000), two hundred ninety thousand dollars (\$290,000) of which is to be expended by the Building Commission, with the approval of the Board of Selectmen and of the School Committee, for the restoration of the High School Library and other parts of the High School which were destroyed or damaged by the fire on November 14, 1969, such restoration to include all necessary remodeling, reconstruction, or the making of extraordinary repairs; and two hundred ten thousand dollars (\$210,000) of which is to be expended by the School Committee, with the approval of the Board of Selectmen, for the replacement of furniture, furnishings, equipment, books, and educational supplies. To meet this appropriation, a transfer may be made from the Fire Insurance Recovery Fund of whatever balances are available at the time of the Town Meeting.

On motion of George V. Brown, Jr., it was unanimously:

**Voted:** To raise and appropriate the sum of fifty-six thousand three hundred fifty-four dollars and eighty cents (\$56,354.80) and transfer the sum of four hundred ten thousand six hundred forty-five dollars and twenty cents (\$410,645.20) from the Fire Insurance Recovery Fund of which amounts the sum of two hundred eighty-one thousand dollars (\$281,000.00) is to be expended by the Building Commission, with the approval of the

Board of Selectmen and the School Committee, for the restoration of the High School Library and other parts of the High School which were destroyed or damaged by the fire on November 14, 1969, such restoration to include all necessary remodeling, reconstruction or the making of extraordinary repairs; and of which amount the sum of one hundred eighty-six thousand dollars (\$186,000.00) is to be expended by the School Committee, with the approval of the Board of Selectmen for the replacement of furniture, furnishings, equipment, books and educational supplies.

**EIGHTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of eighty-eight thousand dollars (\$88,000), to be expended by the Building Commission, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the detailed plans, specifications and construction of a Work Shop — Storage Area at Anderson Park.

On motion of Jean B. Waldstein, it was:

Voted: To raise and appropriate the sum of eighty-eight thousand dollars (\$88,000), to be expended by the Building Commission, with the approval of the Board of Selectmen and the Park and Recreation Commission, for the detailed plans, specifications and construction of a Work Shop-Storage Area at Anderson Park.



## WARRANT

## THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings:*

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on Tuesday, the Twenty-fourth day of March, 1970 at eight-thirty o'clock in the evening for the following purposes, to wit:

FIRST ARTICLE. To see if the Town will amend the Town By-Laws by adding thereto Article XXVIII, as follows:

## ARTICLE XXVIII

*Human Relations Commission. Director of Human Relations.*

Section 1. There is hereby established a Human Relations Commission, which Commission shall consist of twelve (12) citizens of the Town. Members of said Commission shall be appointed by the Selectmen and shall hold office for a period of three (3) years except that of the twelve (12) members first appointed; four (4) shall be appointed for one (1) year, four (4) shall be appointed for two (2) years and four (4) shall be appointed for three (3) years.

All members of said Commission shall serve without compensation. In the event of the death or resignation of any member, his successor shall be appointed to serve the unexpired period of the term for which such member has been appointed. A member may be removed by the Selectmen at any time when, in their judgment, the public interest so requires.

Section 2. *Director of Human Relations.* There shall be a Director of Human Relations who shall be the administrative head of a department to assist the Commission in the administration of its functions and policies under this Article. The Selectmen shall appoint and may remove, when in their judgment the public interest so requires, and may fix the compensation of said Director. The Selectmen shall have the authority to create subordinate staff positions in said department and the Director, with the approval of the Selectmen, may appoint persons to fill these positions, and he may remove them with the approval of the Selectmen. The Director shall have full charge and supervision of the work of the department and its personnel. He shall, in the performance of his duties and responsibilities, be directly responsible to and subject to the direction, authority and control of the Board of Selectmen. The Director shall perform such duties and responsibilities as may be assigned to him from time to time by the Board of Selectmen in carrying out the policies of the Commission, including the obtaining of compliance by contractors of the non-discrimination provisions in Town contracts. The Director shall act as technical advisor to the Board of Selectmen, the Commission and other Town agencies or officials on Human Relations matters, with especial reference to non-discrimination, and publish and distribute such copies of reports as the Board of Selectmen may authorize in relation thereto. The Director shall be responsible for keeping the agenda for Commission meetings, the records, files, indexes, correspondence, and other data relating

to the functioning of the Commission. In addition, the Director shall cooperate with the Commission in the fulfillment of the Commission's responsibilities under this Article, provide full staff services to the Commission, and shall carry out such assignments as the Commission may request from time to time with the consent of the Board of Selectmen.

Section 3. *Powers and Duties of the Commission*

(a) The general duties of the Commission shall include:

(1) The development of opportunities within Brookline and the metropolitan area, for those who are restricted by racial segregation and discrimination, and the elimination of all barriers to their choice of jobs, education and housing; and

(2) Increase communication across racial lines to destroy stereotypes, to halt polarization, end distrust and hostility, and create common ground for efforts towards public order and social justice; and

(3) Increase the capacity of public and private institutions to respond to the problems of the disadvantaged so as to augment their power to deal with the problems that affect their own lives.

(b) To carry out its general duties the Commission shall:

(1) Adopt such affirmative action guidelines relative to employment practices as reasonably pertain to the work of each department of the Town and to the nature and size of its work force, to insure that applicants are sought and employed and that employees are treated during their employment without regard to their race, color, national origin or ancestry, or religion.

(2) Adopt such affirmative action guidelines relative to employment practices of Town contractors as reasonably pertain to the work of the contract and to the nature of the contractor's work force, to insure that applicants are sought and employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion.

(3) Administer with all appropriate departments and agencies of the Town, the affirmative action program relating to contracts to be awarded by any agency of the Town as set forth in Article IV, Section 8 of these By-Laws.

(4) Initiate, receive, secure the investigation of and seek the satisfactory adjustment of complaints charging discrimination, or abuse of authority in connection therewith by any Town agency, Town official or employee which may be brought to the Commission's attention.

(5) Institute and assist in the development of educational programs to further community relations and understanding among employees of all agencies within the Town.

(6) Develop educational programs for the general community, recommend legislation, issue publications and reports, do research in the field of human relations and cooperate with other private and public agencies in the promotion of equal rights and opportunities.

(7) Do anything else deemed appropriate in the furtherance of its general duties and not inconsistent with law or the Town By-Laws.

(c) In order to carry out the purposes and provisions of this By-Law, the Commission shall adopt such procedural rules and regulations as it deems necessary and appropriate, shall hold public hearings, shall appoint subcommittees to concern themselves with specific human relations problems and shall consult with and hire any necessary consultants. The power of the Commission to consult with and hire consultants shall in no event exceed the sum or sums which may from time to time be appropriated for such purposes.

Section 4. All departments and agencies in the Town shall cooperate fully with the Commission. They shall comply with its requests for information concerning practices inconsistent with the Town policy of nondiscrimination. Upon receipt of recommendations in writing from the Commission for giving effect to that policy, each department or agency shall submit a reply within a reasonable time, indicating the disposition of and action taken with regard to such recommendations.

Section 5. The Commission shall submit an Annual Report to the Board of Selectmen detailing its activities.

and will raise and appropriate, or appropriate from available funds, the sum of seventeen thousand dollars (\$17,000) to be expended by the Board of Selectmen, to cover the expense of creating a Human Relations Commission, the employment of a Director of Human Relations, and the employment of staff and secretarial assistance and expenses incidental thereto; or will take any other action with respect thereto.

SECOND ARTICLE. To see if the Town will amend Article IV of the Town By-laws as follows: —

(a) By adding the following Section 8 thereto:

Section 8. Subject to the exceptions hereinafter stated, all contracts awarded by the Town and all agencies and departments thereof, shall include the following provisions:

During the performance of this Contract, the Contractor, for himself, his assignees and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

(1) The Contractor will comply with the provisions of Chapter 151B as amended of the non-discrimination Laws of the Commonwealth, which are incorporated herein by reference and made a part of this Contract.

(2) In the performance of work under this Contract, the Contractor shall not discriminate in employment practices or in the selection or retention of sub-contractors or in the procurement of materials or rental of equipment, on the grounds of race, color, religion, national origin, age or sex.

The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the Contractor's commitments under this section, and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

(3) In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract and for the procurement of materials or equipment, each potential sub-contractor or supplier shall be notified in writing by the Contractor of the Contractor's obligations under this Contract relative to non-discrimination on the grounds of race, color, religion, national origin, age or sex, and his obligations to pursue an affirmative course of action as required by paragraph (4).

(4) The Contractor will pursue an affirmative course of action as required by affirmative action guidelines adopted by the Human Relations Commission, which are herein incorporated by reference and made part of this contract, reasonably per-



taining to the work of the contract and to the nature and size of his work force, to insure that applicants are sought and employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion.

(5) The requirements of this section shall not apply to the following contracts:

(a) whenever work is to be or has been performed outside the state and no recruitment of workers within the state is involved;

(b) those involving standard commercial supplies or raw materials;

(c) when the contractor is a club exclusively social, or a fraternal association or corporation if such club, association or corporation is not organized for private profit;

(d) when the contractor employs fewer than six persons;

(e) when the total value of the contract is less than two thousand dollars.

(6) In the event the Contractor fails to comply with the foregoing non-discrimination provisions of this Contract, the Selectmen, upon the advice and counsel of the Human Relations Commission, shall impose such contract sanctions as it may determine to be appropriate, including but not limited to:

(a) withholding of payments due the Contractor under this contract until the Contractor complies, and/or

(b) cancellation, termination or suspension of this Contract, in whole or in part.

For the purposes of this section the Selectmen shall accept as proof of non-compliance with the provisions of subsection 1 of this By-Law, only final orders or decisions of the Massachusetts Commission Against Discrimination.

(b) By amending Section 6 by adding the following paragraph at the end thereof:

All calls for proposals under this section shall include a statement notifying the bidder that the contract awarded pursuant to the proposal is subject to the provisions of Section 8 of this by-law relative to non-discrimination in employment.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this second day of March in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.

GEORGE F. McNEILLY

SUMNER Z. KAPLAN

MORTON R. GODINE

ROBERT C. COCHRANE, JR.

*Board of Selectmen*

A true copy, Attest: Thomas J. Hill, Jr., Constable

NORFOLK, SS.

BROOKLINE, MASSACHUSETTS, MARCH 10, 1970

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 8:30 p.m., Tuesday, March 24, 1970, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of March 5, 1970, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

THOMAS J. HILL, JR.  
Constable

March 9, 1970

**To Town Meeting Members:**

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Tuesday, March 24, 1970, at 8:30 p.m., in the Brookline High School Auditorium.

In the event the Meeting is not completed on this night, March 25, 31, April 1, 2, 7, 8, and 9, 1970 have been reserved at the High School for possible recessed meetings.

Very truly yours,  
THOMAS F. LARKIN  
Town Clerk

On motion of Herbert Abrams, it was unanimously:

Voted: To recess the Annual Town Meeting until after consideration of the Recessed Special Town Meeting called for at eight thirty p.m.

Recessed Special Town Meeting March 31, 1970.

The Moderator called the Special Town Meeting to order.

FIRST ARTICLE. To see if the Town will amend the Town By-Laws by adding thereto Article XXVIII, as follows:

**ARTICLE XXVIII***Human Relations Commission. Director of Human Relations*

Section 1. There is hereby established a Human Relations Commission, which Commission shall consist of twelve (12) citizens of the Town. Members of said Commission shall be appointed by the Selectmen and shall hold office for a period of three (3) years except that of the twelve (12) members first appointed; four (4)

shall be appointed for one (1) year, four (4) shall be appointed for two (2) years and four (4) shall be appointed for three (3) years.

All members of said Commission shall serve without compensation. In the event of the death or resignation of any member, his successor shall be appointed to serve the unexpired period of the term for which such member has been appointed. A member may be removed by the Selectmen at any time when, in their judgment, the public interest so requires.

**Section 2. Director of Human Relations.** There shall be a Director of Human Relations who shall be the administrative head of a department to assist the Commission in the administration of its functions and policies under this Article. The Selectmen shall appoint and may remove, when in their judgment the public interest so requires, and may fix the compensation of said Director. The Selectmen shall have the authority to create subordinate staff positions in said department and the Director, with the approval of the Selectmen, may appoint persons to fill these positions, and he may remove them with the approval of the Selectmen. The Director shall have full charge and supervision of the work of the department and its personnel. He shall, in the performance of his duties and responsibilities, be directly responsible to and subject to the direction, authority and control of the Board of Selectmen. The Director shall perform such duties and responsibilities as may be assigned to him from time to time by the Board of Selectmen in carrying out the policies of the Commission, including the obtaining of compliance by contractors of the nondiscrimination provisions in Town contracts. The Director shall act as technical advisor to the Board of Selectmen, the Commission and other Town agencies or officials on Human Relations matters, with especial reference to nondiscrimination, and publish and distribute such copies of reports as the Board of Selectmen may authorize in relation thereto. The Director shall be responsible for keeping the agenda for Commission meetings, the records, files, indexes, correspondence, and other data relating to the functioning of the Commission. In addition, the Director shall cooperate with the Commission in the fulfillment of the Commission's responsibilities under this Article, provide full staff services to the Commission, and shall carry out such assignments as the Commission may request from time to time with the consent of the Board of Selectmen.

### **Section 3. Powers and Duties of the Commission**

(a) The general duties of the Commission shall include:

1. The development of opportunities within Brookline and the metropolitan area, for those who are restricted by racial segregation and discrimination, and the elimination of all barriers to their choice of jobs, education and housing; and

2. Increase communication across racial lines to destroy stereotypes, to halt polarization, end distrust and hostility, and create common ground for efforts towards public order and social justice; and

3. Increase the capacity of public and private institutions to respond to the problems of the disadvantaged so as to augment their power to deal with the problems that affect their own lives.

(b) To carry out its general duties the Commission shall:

1. Adopt such affirmative action guidelines relative to employment practices as reasonably pertain to the work of each department of the Town and to the nature and size of its work force, to insure that applicants are sought and employed and that employees are treated during their employment without regard to their race, color, national origin or ancestry, or religion.

2. Adopt such affirmative action guidelines relative to employment practices of Town contractors as reasonably pertain to the work of the contract and to the nature of the contractor's work force, to insure that applicants are sought and



employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion.

3. Administer with all appropriate departments and agencies of the Town, the affirmative action program relating to contracts to be awarded by any agency of the Town as set forth in Article IV, Section 8 of these By-laws.

4. Initiate, receive, secure the investigation of and seek the satisfactory adjustment of complaints charging discrimination, or abuse of authority in connection therewith by any Town agency, Town official or employee which may be brought to the Commission's attention.

5. Institute and assist in the development of educational programs to further community relations and understanding among employees of all agencies within the Town.

6. Develop educational programs for the general community, recommend legislation, issue publications and reports, do research in the field of human relations and cooperate with other private and public agencies in the promotion of equal rights and opportunities.

7. Do anything else deemed appropriate in the furtherance of its general duties and not inconsistent with law or the Town By-laws.

(c) In order to carry out the purposes and provisions of this By-law, the Commission shall adopt such procedural rules and regulations as it deems necessary and appropriate, shall hold public hearings, shall appoint subcommittees to concern themselves with specific human relations problems and shall consult with and hire any necessary consultants. The power of the Commission to consult with and hire consultants shall in no event exceed the sum or sums which may from time to time be appropriated for such purposes.

Section 4. All departments and agencies in the Town shall cooperate fully with the Commission. They shall comply with its requests for information concerning practices inconsistent with the Town policy of nondiscrimination. Upon receipt of recommendations in writing from the Commission for giving effect to that policy, each department or agency shall submit a reply within a reasonable time, indicating the disposition of and action taken with regard to such recommendations.

Section 5. The Commission shall submit an Annual Report to the Board of Selectmen detailing its activities.

and will raise and appropriate, or appropriate from available funds, the sum of seventeen thousand dollars (\$17,000) to be expended by the Board of Selectmen, to cover the expense of creating a Human Relations Commission, the employment of a Director of Human Relations, and the employment of staff and secretarial assistance and expenses incidental thereto; or will take any other action with respect thereto.

On motion of Robert C. Cochrane, Jr., as amended, it was:

Voted: To amend the Town By-Laws by adding thereto Article XXVIII, as follows:

## ARTICLE XXVIII

### *Human Relations Commission. Director of Human Relations*

Section 1. There is hereby established a Human Relations Commission, which Commission shall consist of twelve (12) citizens of the Town. Members of said Commission shall be appointed by the Selectmen and shall hold office for a period of

three (3) years except that of the twelve (12) members first appointed; four (4) shall be appointed for one (1) year, four (4) shall be appointed for two (2) years and four (4) shall be appointed for three (3) years.

All members of said Commission shall serve without compensation. In the event of the death or resignation of any member, his successor shall be appointed to serve the unexpired period of the term for which such member has been appointed. A member may be removed by the Selectmen at any time when, in their judgment, the public interest so requires.

**Section 2. Director of Human Relations.** There shall be a Director of Human Relations who shall be the administrative head of a department to assist the Commission in the administration of its functions and policies under this Article. The Selectmen shall appoint and may remove, when in their judgment the public interest so requires, and may fix the compensation of said Director. The Selectmen shall have the authority to create subordinate staff positions in said department and the Director, with the approval of the Selectmen, may appoint persons to fill these positions, and he may remove them with the approval of the Selectmen. The Director shall have full charge and supervision of the work of the department and its personnel. He shall, in the performance of his duties and responsibilities, be directly responsible to and subject to the direction, authority and control of the Board of Selectmen. The Director shall perform such duties and responsibilities as may be assigned to him from time to time by the Board of Selectmen in carrying out the policies of the Commission, including the obtaining of compliance by contractors of the nondiscrimination provisions in Town contracts. The Director shall act as technical advisor to the Board of Selectmen, the Commission and other Town agencies or officials on Human Relations matters, with especial reference to nondiscrimination, and publish and distribute such copies of reports as the Board of Selectmen may authorize in relation thereto. The Director shall be responsible for keeping the agenda for Commission meetings, the records, files, indexes, correspondence, and other data relating to the functioning of the Commission. In addition, the Director shall cooperate with the Commission in the fulfillment of the Commission's responsibilities under this Article, provide full staff services to the Commission, and shall carry out such assignments as the Commission may request from time to time with the consent of the Board of Selectmen.

**Section 3. Powers and Duties of the Commission**

(a) The general duties of the Commission shall include:

(1) The development of opportunities within Brookline and the metropolitan area, for those who are discriminated against and restricted by their race, color, national origin or ancestry, religion, sex or age, and the elimination of all and any barriers to their choice of jobs, education and housing; and

(2) Increase communication across racial lines to destroy stereotypes, to halt polarization, end distrust and hostility, and create common ground for efforts towards public order and social justice; and

(3) Increase the capacity of public and private institutions to respond to the problems of the disadvantaged so as to augment their power to deal with the problems that affect their own lives.

(b) To carry out its general duties the Commission shall:

(1) With the approval of the Selectmen adopt such affirmative action guidelines relative to employment practices as reasonably pertain to the work of each department of the Town and to the nature and size of its work force, to insure that applicants are sought and employed and that employees are treated during their employment without regard to their race, color, national origin or ancestry, or religion, sex or age.

(2) With the approval of the Selectmen adopt such affirmative action guidelines relative to employment practices of Town contractors as reasonably pertain to the work of the contract and to the nature of the contractor's work force, to insure that applicants are sought and employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion, sex or age.

(3) Administer with all appropriate departments and agencies of the Town, the affirmative action program relating to contracts to be awarded by any agency of the Town as set forth in Article XXIX of these By-Laws.

(4) Initiate, receive, secure the investigation of and seek the satisfactory adjustment of complaints charging discrimination, or failure to take, or delay in taking appropriate action, or abuse of authority in connection therewith by any Town agency, Town official or employee which may be brought to the Commission's attention.

(5) Institute and assist in the development of educational programs to further community relations and understanding among employees of all agencies within the Town.

(6) Develop educational programs for the general community, recommend legislation, issue publications and reports, do research in the field of human relations and cooperate with other private and public agencies in the promotion of equal rights and opportunities.

(7) Do anything else deemed appropriate in the furtherance of its general duties and not inconsistent with law or the Town By-Laws.

(c) In order to carry out the purposes and provisions of this By-Law, the Commission shall adopt such procedural rules and regulations as it deems necessary and appropriate, shall hold public hearings, shall appoint subcommittees to concern themselves with specific human relations problems and shall consult with and hire any necessary consultants. The power of the Commission to consult with and hire consultants shall in no event exceed the sum or sums which may from time to time be appropriated for such purposes.

Section 4. All departments and agencies in the Town shall cooperate fully with the Commission. They shall comply with its requests for information concerning practices inconsistent with the Town policy of nondiscrimination. Upon receipt of recommendations in writing from the Commission for giving effect to that policy, each department or agency shall submit a reply within a reasonable time, indicating the disposition of and action taken with regard to such recommendations.

Section 5. The Commission shall submit an Annual Report to the Board of Selectmen detailing its activities, such report will be published in the annual report of the Town;

and to raise and appropriate the sum of seventeen thousand dollars (\$17,000) to be expended by the Board of Selectmen, to cover the expense of creating a Human Relations Commission, the employment of a Director of Human Relations and the employment of staff and secretarial assistance and expenses incidental thereto.

**SECOND ARTICLE.** To see if the Town will amend Article IV of the Town By-laws as follows: —

(a) By adding the following Section 8 thereto: —

Section 8. Subject to the exceptions hereinafter stated, all contracts awarded by the



Town and all agencies and departments thereof, shall include the following provisions:

During the performance of this Contract, the Contractor, for himself, his assignees and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

(1) The Contractor will comply with the provisions of Chapter 151B as amended of the nondiscrimination Laws of the Commonwealth, which are incorporated herein by reference and made a part of this Contract.

(2) In the performance of work under this Contract, the Contractor shall not discriminate in employment practices or in the selection or retention of sub-contractors or in the procurement of materials or rental of equipment, on the grounds of race, color, religion, national origin, age or sex.

The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the Contractor's commitments under this section, and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

(3) In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract and for the procurement of materials or equipment, each potential sub-contractor or supplier shall be notified in writing by the Contractor of the Contractor's obligations under this Contract relative to non-discrimination on the grounds of race, color, religion, national origin, age or sex, and his obligations to pursue an affirmative course of action as required by paragraph (4),

(4) The Contractor will pursue an affirmative course of action as required by affirmative action guidelines adopted by the Human Relations Commission, which are herein incorporated by reference and made a part of this contract, reasonably pertaining to the work of the contract and to the nature and size of his work force, to insure that applicants are sought and employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion.

(5) The requirements of this section shall not apply to the following contracts:

(a) whenever work is to be or has been performed outside the state and no recruitment of workers within the state is involved

(b) those involving standard commercial supplies or raw materials

(c) when the contractor is a club exclusively social, or a fraternal association or corporation, if such club, association or corporation is not organized for private profit

(d) when the contractor employs fewer than six persons

(e) when the total value of the contract is less than two thousand dollars

(6) In the event the Contractor fails to comply with the foregoing non-discrimination provisions of this Contract, the Selectmen, upon the advice and counsel of the Human Relations Commission, shall impose such contract sanctions as it may determine to be appropriate, including but not limited to:

(a) withholding of payments due the Contractor under this contract until the Contractor complies, and/or

(b) cancellation, termination or suspension of this Contract, in whole or in part.

For the purposes of this section the Selectmen shall accept as proof of non-compliance with the provisions of subsection 1 of this By-law, only final orders or decisions of the Massachusetts Commission Against Discrimination.

(b) By amending Section 6 by adding the following paragraph at the end thereof:

All calls for proposals under this section shall include a statement notifying the bidder that the contract awarded pursuant to the proposal is subject to the provisions of Section 8 of this by-law relative to nondiscrimination in employment.

On Motion of Robert C. Cochrane, Jr., it was:

Voted: To amend the Town By-Laws by adding thereto Article XXIX, as follows:

Article XXIX. *Fair Employment Practices Relative to Town Contracts*

Section 1. Subject to the exceptions hereinafter stated, all contracts awarded by the Town and all agencies and departments thereof, shall include the following provisions:

During the performance of this Contract, the Contractor, for himself, his assignees and successors in interest (hereinafter referred to as the "Contractor"), agrees as follows:

(A) The Contractor will comply with the provisions of Chapter 151B, as amended, of the General Laws of Massachusetts relative to nondiscrimination which are incorporated herein by reference and made a part of this Contract.

(B) In the performance of work under this Contract, the Contractor shall not discriminate in employment practices or in the selection or retention of sub-contractors or in the procurement of materials or rental of equipment on the grounds of race, color, religion, or national origin, or on the grounds of age or sex except when age or sex is a bonafide occupational qualification.

The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the Contractor's commitments under this section, and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

(C) In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract and for the procurement of materials or equipment, each potential sub-contractor or supplier shall be notified in writing by the Contractor of the Contractor's obligations under this Contract relative to nondiscrimination on the grounds of race, color, religion, national origin, age or sex, and his obligations to pursue an affirmative course of action as required by paragraph (D).

(D) The Contractor will pursue an affirmative course of action as required by affirmative action guidelines adopted by the Human Relations Commission in effect on the effective date of the contract, or when calls for proposals are made, whichever is sooner, which are herein incorporated by reference, attached hereto, and made a part of this contract, reasonably pertaining to the work of the contract and to the

nature and size of his work force, to insure that applicants are sought and employed, and that employees are treated, during their employment, without regard to their race, color, national origin or ancestry, or religion. No changes in affirmative action guidelines hereinafter adopted by the Commission shall be effective with respect to contracts already in effect, without the express written consent of the contractor.

(E) In the event the Contractor fails to comply with the foregoing nondiscrimination provisions of this Contract, the contracting agency of the Town, upon the advice and counsel of the Human Relations Commission, shall impose such contract sanctions as it may determine to be appropriate, including but not limited to:

- (a) withholding of payment due the Contractor under this contract until the Contractor complies, and/or
- (b) cancellation, termination or suspension of this Contract, in whole or in part.

For the purposes of this section the contracting agency of the Town shall accept as proof of non-compliance with the provisions of Section 1(A), only final orders or decisions of the Massachusetts Commission Against Discrimination.

(F) The provisions of this section shall be deemed supplementary to, and not in lieu of, or in substitution for, the provisions of Massachusetts Law relating to non-discrimination, and other applicable Federal, State or Town law, by-law, rule, regulation and directive relative thereto. In the event of a conflict between the provisions of this section and, where inserted or incorporated in this contract, an applicable state or federal law, rule, regulation or directive, the conflicting provisions of the latter shall control.

Section 2. The requirements of Section 1 shall not apply to the following contracts:

- (a) whenever work is to be or has been performed outside the state and no recruitment of workers within the state is involved
- (b) those involving standard commercial supplies or raw materials
- (c) when the contractor is a club exclusively social, or a fraternal association or corporation, if such club, association or corporation is not organized for private profit
- (d) when the contractor employs fewer than six persons
- (e) when the total value of the contract is less than \$10,000
- (f) contracts involving joint purchases with the state under Article IV,

Section 7 of Town By-Laws

- (g) contracts with the Commonwealth for construction of public works
- (h) contracts for financial assistance with a government or governmental agency
- (i) notes and bonds of the Town
- (j) employment by the Town of officers and employees of the Town
- (k) whenever it is deemed necessary or appropriate the Board of Selectmen, upon the advice and counsel of the Human Relations Commission, may exempt any contract not covered by the foregoing exemptions from the operation of this by-law in whole or in part.

Section 3. All calls for proposals for contracts subject to the provisions of this Article shall include a statement notifying all bidders that the contract awarded pursuant to the proposal is subject to the provisions of this Article of the by-laws, relating to non-discrimination in employment.

The above vote was taken by count, one hundred seventy-seven (177)



voted in the affirmative, nineteen (19) voted in the negative and five abstained.

On motion of Eleanor Myerson, at five minutes past ten o'clock, it was:

Voted: That this Special Town Meeting be now dissolved.

Dissolved.

THOMAS F. LARKIN  
*Town Clerk*

The recessed annual Town Meeting was reconvened at five minutes after ten o'clock and was called to order by the Moderator.

NINTH ARTICLE. To see if the Town will authorize the Selectmen to take such legal steps as to them seem appropriate to authorize the Town to execute and deliver a ninety-nine year lease to the Antique Automobile Museum of Massachusetts at Larz Anderson Park, Inc. for the sum of \$1.00 and on such other terms and conditions as the Selectmen deem proper, a portion of the property known as Larz Anderson Park; said portion consisting of approximately two acres of land as shown on a Plan by the Commissioner of Public Works, entitled, "Plan of location of Antique Auto Museum, Larz Anderson Park, Brookline," dated December, 1969, copies of which are available at the office of the Department of Public Works, Town Hall; such leased property to be used by the said Museum solely for its non-profit and educational purposes of housing and exhibiting antique automobiles and/or other vehicles for the purpose of establishing a history of land transportation in the United States and for the erection, maintenance and operation of a building or buildings on said property to be used in connection with said museum displays; and will authorize the Selectmen to petition the Norfolk Probate Court for authority to execute and deliver said lease; and will authorize the Selectmen, if deemed necessary to accomplish this purpose, to file legislation with the General Court authorizing the said lease; provided, however, that all costs of construction, maintenance and legal expense, including attorneys fees, shall be the responsibility of the Automobile Museum of Massachusetts at Larz Anderson Park, Inc., and, provided further, that all designs, plans and site layouts must be submitted to the Planning Board and the Board of Selectmen and approved by them before any construction can begin; or will take any other action with respect thereto.

On motion of George V. Brown, Jr., amended by Sumner Z. Kaplan, it was:

**Voted:** To authorize the Selectmen to take such legal steps as to them seem appropriate to authorize the Town to execute and deliver a ninety-nine year lease to the Antique Auto Museum of Massachusetts at Larz Anderson Park, Inc., for the sum of \$1.00 and on such other terms and conditions, including however the term that the lease will contain a provision that it will be null and void in the event that the Antique Auto Museum of Massachusetts at Larz Anderson Park, Inc. acquires by purchase, lease, gift, devise or otherwise any additional land at Larz Anderson Park, as the Selectmen deem proper, a portion of the property known as Larz Anderson Park: said portion consisting of approximately two acres of land as shown on a Plan by the Commissioner of Public Works, entitled, "Plan of location of Antique Auto Museum, Larz Anderson Park, Brookline," dated December, 1969, copies of which are available at the office of the Department of Public Works, Town Hall; such leased property to be used by the said Museum solely for its non-profit and educational purposes of housing and exhibiting antique automobiles and/or other vehicles for the purpose of establishing a history of land transportation in the United States and for the erection, maintenance and operation of a building or buildings on said property to be used in connection with said museum displays; and will authorize the Selectmen to petition the Norfolk Probate Court for authority to execute and deliver said lease; and will authorize the Selectmen, if deemed necessary to accomplish this purpose, to file legislation with the General Court authorizing the said lease; provided, however, that all costs of construction, maintenance and legal expense, including attorneys fees, shall be the responsibility of the Antique Auto Museum of Massachusetts at Larz Anderson Park, Inc., and, provided further, that all designs, plans and site layouts must be submitted to the Planning Board and the Board of Selectmen and approved by them before any construction can begin.

**TENTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of twelve thousand dollars (\$12,000) to be expended by the Building Commission with the approval of the Board of Selectmen and the Park and Recreation Commission, for the preparation of schematic plans, including site definition, for the replacement of the Brookline Avenue Recreation Center, and other facilities deemed feasible, or will take any other action with respect thereto.

On motion of George V. Brown, Jr., it was:

**Voted:** To raise and appropriate the sum of twelve thousand dollars (\$12,000) to be expended by the Building Commission with the approval of the Board of Selectmen and the Park and Recreation Commission, for the preparation of schematic plans, including site definition, for the replacement of the Brookline Avenue Recreation Center, and other facilities deemed feasible.

At twenty-five minutes after eleven o'clock on motion it was:

**Voted:** To recess this meeting until Wednesday, April 1, 1970 at half past seven in the evening at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred eighteen (218) Town Meeting Members had been checked as present at this meeting.

Recessed:

THOMAS F. LARKIN  
*Town Clerk*



## RECESSED ANNUAL TOWN MEETING APRIL 1, 1970

In accordance with the vote passed at the Recessed Annual Town Meeting on March 31, 1970, the Town Meeting Members met at the High School Auditorium on Wednesday, April 1, 1970 at half past seven in the evening.

No Town Meeting Member was allowed within the rail until his name had been checked on the list.

At fifty minutes after seven o'clock the checkers reported that one hundred forty-four (144) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

At the request of the Moderator the Town Clerk swore to the faithful performance of their duties all Town Meeting Members not heretofore sworn.

The following "In Memoriam" for Charles A. Newhall, was read by Herbert Abrams, member of the Board of Selectmen, and was unanimously adopted:

APRIL 1, 1970  
IN MEMORIAM  
CHARLES A. NEWHALL

Brookline businessman, advisor to town officials, civic leader, philanthropist and friend. A Town Meeting Member for thirty-five continuous years from 1927 to 1962.

Born: November 22, 1876

Died: April 1, 1970, in his 94th year

The Moderator requested the Town Meeting Members to stand for a moment of silent prayer in the memory of the passing of Charles A. Newhall.

ELEVENTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of one hundred sixty thousand dollars (\$160,000), to be expended by the Building Commission, with the approval of the Selectmen, and the Trustees of the Public Library, for working drawings and specifications for alterations and additions to the Main Library, or will take any other action with respect thereto.

On motion of Robert I. Hunneman, it was:

**Voted:** To raise and appropriate the sum of one hundred sixty thousand dollars (\$160,000), to be expended by the Building Commission with the approval of the Selectmen, and the Trustees of the Public Library, for working drawings and specifications for alterations and additions to the Main Library.

**FORTIETH ARTICLE.** To see if the Town will enact the by-law which is affixed hereto, regulating certain rental housing accommodations within the Town and rents therefor, or will take any other action with respect thereto.

### RENT REGULATION BY-LAW

**Section 1. Declaration of emergency.** The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens in this Town, which has resulted from a substantial shortage of rental housing accommodations; that unless residential rents are regulated and controlled, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of this Town.

#### Section 2. Definitions.

(a) **Person.** "Person" includes an individual, corporation, partnership, association or any other organized group of persons or legal successor, representative or agent of the foregoing.

(b) **Landlord.** "Landlord" includes an owner, lessor, sub-lessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(c) **Tenant.** "Tenant" includes a subtenant, lessee, sub-lessee, or other person entitled to the possession, use or occupancy of any housing accommodations.

(d) **Rent.** "Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

(e) **Services.** "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, elevator service, storage and laundry facilities or privileges, janitor service, removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(f) **Housing Accommodations.** "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other property rented or offered for rent for living or dwelling purposes, together with any privileges, services, furnishings, furniture and facilities connected with the use or occupancy of such property.

(g) **Controlled Housing Accommodations.** "Controlled housing accommodations" means all housing accommodations except the following:

(1) Any boarding or lodging house, club-house, fraternity house or hotel as defined in Article II of the Zoning By-Law.

(2) Any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes on a non-profit basis.

(3) Any housing accommodations owned and operated by the United

States or the Commonwealth of Massachusetts or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority, or the Town of Brookline.

(4) Any housing accommodations that were never occupied by a tenant prior to January 1, 1968.

(h) *Maximum Rent.*

(1) "Maximum rent" for any controlled housing accommodations that were occupied by a tenant on January 1, 1968, means the rent charged therefor on said date.

(2) "Maximum rent" for any controlled housing accommodations that were not occupied by a tenant on January 1, 1968 but were occupied by a tenant on some date prior thereto means the rent charged in the period preceding January 1, 1968 during which the housing accommodations were last occupied by a tenant.

(i) *Minimum Services.*

(1) "Minimum services" for any controlled housing accommodations that were occupied by a tenant on January 1, 1968 means all of the services provided by the landlord to the tenant on said date.

(2) "Minimum services" for any controlled housing accommodations that were not occupied by a tenant on January 1, 1968 but were occupied by a tenant on some date prior thereto means all of the services provided by the landlord to the tenant in the period preceding January 1, 1968 during which the housing accommodations were last occupied by a tenant.

### Section 3. *Creation, Duties and Powers of Rent Board.*

(a) There is hereby created a rent board consisting of five members who shall be appointed by the board of selectmen and who may be removed by the board of selectmen when in its judgment the public interest so requires. Three of said members shall be representatives of the public interest; one member shall be representative of landlords and the remaining member shall be representative of tenants. No person holding a public office in the town other than a town meeting member and no salaried employee of the town shall be eligible for appointment. The members shall elect one of the three representatives of the public interest to serve as chairman of the rent board.

(b) The members of the rent board shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties. The rent board may employ and fix the salaries of such assistants and clerical aid as it deems necessary, with the approval of the board of selectmen. Such assistants and clerical aid may be removed at the pleasure of the rent board subject to the provisions of law thereto pertaining.

(c) The rent board shall have the power to investigate apparent or reported violations of this by-law, make studies, conduct hearings, adopt, alter and repeal rules and regulations, issue orders, specify requirements and take any other action which it deems necessary or desirable to the administration and enforcement of this by-law or regulation, order or requirement thereunder and which it is not prohibited by law from taking. For such purposes the rent board may require any person who rents or offers for rent or acts as a broker or an agent for the rental of any housing accommodations to furnish any information required by it under oath, to make reports and to produce records and other documents.

(d) The rent board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this by-law or any regulation order or requirement thereunder.

(e) The rent board shall have the power to enforce this by-law or any regula-



tion, order or requirement thereunder in any manner not prohibited by law, including legal and equitable actions in any court of the Commonwealth.

**Section 4. Registration.** Within 60 days after the date this article becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of controlled housing accommodations rented or offered for rent shall file in triplicate a verified written statement on the form provided therefor to be known as a registration statement. The statement shall identify each dwelling unit, and specify the minimum services and the maximum rent for such dwelling unit and shall contain such other information as the rent board shall require. The original shall remain on file with the rent board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

Whenever the maximum rent is changed by order of the rent board, the landlord shall deliver his stamped copy of the registration statement to the rent board office for appropriate action reflecting such change.

**Section 5. Adjustment of Maximum Rent or Minimum Services.**

(a) Any landlord or tenant of any controlled housing accommodations may file a verified written petition with the rent board for an increase, decrease or other adjustment in the maximum rent or minimum services of such housing accommodations. It shall allege that an adjustment of the maximum rent or minimum services is necessary to remove hardships, correct other inequities or otherwise effectuate the purposes and provisions of this by-law and shall specify the facts constituting said hardships, inequities, or other problems stated therein.

(b) Upon the receipt of such a petition, or upon its own initiative, the rent board shall forthwith call a public hearing which shall be held not more than thirty days after said call and shall give written notice of the time, date, place and purpose of such hearing to the board of selectmen and by publication in a newspaper of general circulation in the town not less than fifteen days prior to the date of such hearing.

(c) At any hearing conducted by the rent board all interested persons shall be given a reasonable opportunity to be heard and shall have the right to be represented by counsel. For the purposes of such hearing, any person may be requested or permitted by the rent board to attend, testify and produce books and papers.

(d) After conducting such hearing and considering all relevant evidence, the rent board shall issue an order regarding the adjustment of the maximum rent and minimum services of the housing accommodations that were the subject to the hearing. The rent board shall make no adjustments of the maximum rent or minimum services of any controlled housing accommodations unless and until it conducts a public hearing as provided herein. The rent board shall not increase the maximum rent of any controlled housing accommodations unless and until the landlord thereof certifies in writing and under oath to the rent board that he is providing the minimum services therefor and will continue to provide said minimum services until such time as they may be adjusted by the rent board, and submits certificates of compliance from appropriate town agencies certifying that such housing accommodations are in compliance with applicable health, safety, building and zoning laws, regulations and by-laws.

(e) In deciding whether an adjustment of the maximum rent or minimum services of any housing accommodations is necessary to remove hardships, correct other inequities or further effectuate the purposes and provisions of this by-law, the rent board shall give due weight to the principle of establishing and maintaining rents for controlled housing accommodations at levels which will yield to landlords a fair return from such housing accommodations; and shall give due consideration to the following, among other relevant factors:

- (1) increases or decreases in property taxes;
- (2) unavoidable increases in operating and maintenance expenses;
- (3) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement and maintenance;
- (4) increases or decreases in living space, furniture, furnishings or equipment;
- (5) substantial deterioration of the housing accommodations, other than ordinary wear and tear;
- (6) failure to perform ordinary repair, replacement or maintenance;
- (7) the experiences of rent control boards in New York City and other communities that presently have or have had a system of rent control;
- (8) and the suggestions of economists, bankers, real estate boards, and similar persons with a knowledge of the financing and management of real estate.

(f) The rent board shall at least once annually review any increase in the real property tax rate of the Town and any increase in an appropriate price or cost index published by an agency of the United States. If the rent board finds that there have been increases in such rate or index, it may issue an order or ruling authorizing every landlord of controlled house accommodations to increase rents on such accommodations by a percentage which fairly reflects the increase in such rate or index. Upon the issuance by the rent board of such an order or ruling, maximum rents may be increased by a percentage not exceeding such percentage without the filing and approval of the petition otherwise required under the preceding subsections of this section.

#### Section 6. *Prohibitions and Penalty.*

(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

- (1) To demand, accept or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent; to fail or neglect to furnish the minimum services in any controlled housing accommodations; or otherwise to do or omit to do any act, in violation of this by-law or any regulation, order or requirement thereunder or to offer, solicit, attempt or agree to do any of the foregoing.
- (2) To deprive or attempt to deprive, by coercion, fraud or duress, any person of the benefits of this by-law or any regulation, order or requirement thereunder.
- (3) To evade any provision of this by-law or any regulation, order or requirement thereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or by tying agreements, or otherwise.

(4) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or agreement for the use of such accommodations, because such tenant or occupant has taken, or proposes to take, action authorized or required by this by-law or any regulation, order or requirement thereunder.

(b) Any agreement by a tenant to waive the benefit of any provision of this by-law or of any regulation, order or requirement thereunder, shall be void.

(c) Any agent, broker or other authorized representative who violates any provision of this by-law shall be presumed to be acting within the scope of his authority or with the subsequent ratification of his principal.

(d) Any person who violates any provision of this by-law, or of any regulation, order or requirement thereunder, or who makes any statement or entry false in any material respect in any document or report required under this by-law or any regulation, order or requirement thereunder, shall be fined not more than fifty dollars for each offense.

#### Section 7. *Miscellaneous.*

(a) Nothing in this by-law shall be construed to require any person to offer any housing accommodations for rent.

(b) Nothing in this by-law shall be interpreted or construed to authorize the prohibition, in the case of any rental agreement hereafter entered into, of the demand or collection of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance.

(c) If any provision of this by-law or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this by-law and the applicability of such provision to other persons or circumstances shall not be affected thereby.

(d) The selectmen shall insert in the warrant for the annual town meeting for 1971 an article presenting the question of whether this by-law shall be repealed as of the end of June, 1971,

and to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be expended by the Rent Board for the purpose of this rent regulation By-law.

On motion of Eleanor Myerson, it was:

Voted: That the question of rent regulation be committed to the Board of Selectmen, and that the Board of Selectmen be requested to prepare Articles relating to the regulation of rents in the Town, appropriate in the light of State legislation which may be passed and in the light of the decision to be rendered by the Supreme Judicial Court in the case of Marshall House, Inc. v. Carl Sapers et al; such Articles to be inserted in the Warrant of the next Annual Town Meeting or Special Town Meeting called as soon as practicable after the enabling legislation is effective or such decision is rendered.

TWELFTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of thirty thousand dollars (\$30,000), to be expended by the Planning Director, with the approval of



the Planning Board and the Board of Selectmen, for the services of an urban design consultant and such other consultants as are necessary to assist in the preparation of a development program for the Coolidge Corner and Washington Square areas.

On motion of George V. Brown, Jr., it was:

Voted: To raise and appropriate the sum of thirty thousand dollars (\$30,000) to be expended by the Planning Director, with the approval of the Planning Board and the Board of Selectmen, for the services of an urban design consultant and such other consultants as are necessary to assist in the preparation of a development program for the Coolidge Corner (including lower Beacon Street) and Washington Square areas.

TWENTY-FOURTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds in the Treasury, the sum of ninety-four thousand six hundred dollars (\$94,600) for the reconstruction and repair of certain streets under the Chapter 90 Road Program.

On motion of George V. Brown, Jr., it was:

Voted: To raise and appropriate the sum of ninety-four thousand six hundred dollars (\$94,600) for the reconstruction and repair of the following streets, as approved by the State Department of Public Works: Tappan Street and South Street, of which seventy thousand nine hundred fifty dollars (\$70,950) shall be appropriated from available funds in the Treasury to meet the State's and County's shares of Chapter 90 Highway Construction, the reimbursements from the State and County to be restored upon their receipt to unappropriated available funds in the Treasury, and the balance of twenty-three thousand six hundred fifty dollars (\$23,650) raised in the tax levy.

TWENTY-FIFTH ARTICLE. To see if the Town will appropriate the amount of two hundred ninety thousand eight hundred seventy-five dollars and forty-four cents (\$290,875.44), for the construction, reconstruction, resurfacing or repair of various streets, sidewalks, or curbs throughout the Town, and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the town therefor.

On motion of Harold Kaitz, it was unanimously:

Voted: To raise and appropriate the amount of two hundred ninety thousand eight hundred seventy-five dollars and forty-four cents (\$290,875.-

44) for the construction, reconstruction, resurfacing or repair of various streets, sidewalks, or curbs throughout the Town.

**TWENTY-SIXTH ARTICLE.** To see if the Town will authorize the transfer of ninety-six thousand nine hundred fifty-eight and forty-eight hundredths dollars (\$96,958.48), being the funds allotted to the Town by Chapter 768 of the Acts of 1969, General Laws, entitled, "AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM" and appropriate the sum of ninety-six thousand nine hundred fifty-eight and forty-eight hundredths dollars (\$96,958.48) to permit the reconstruction, repair and resurfacing of certain public ways within the town.

On motion of Harold Kaitz, it was unanimously:

**Voted:** To authorize the transfer of funds received or to be received in the amount of ninety-six thousand nine hundred fifty-eight dollars and forty-eight cents (\$96,958.48), being the funds allotted to the Town by Chapter 768 of the Acts of 1969, General Laws, entitled "AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM" and appropriate the sum of ninety-six thousand nine hundred fifty-eight dollars and forty-eight cents (\$96,958.48) to permit the reconstruction, repair and resurfacing of certain public ways within the town.

**TWENTY-SEVENTH ARTICLE.** To see if the Town will appropriate the sum of two hundred sixty thousand dollars (\$260,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for laying and relaying water mains of not less than six (6) inches but less than sixteen (16) inches in diameter and determine how any such appropriation will be raised, whether by taxation, transfer of available funds, by borrowing or otherwise, and, if by borrowing, to authorize the issuance of bonds or notes of the town therefor.

On motion of Robert C. Cochrane, Jr., it was unanimously:

**Voted:** To appropriate the sum of two hundred sixty thousand dollars (\$260,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen, for laying and relaying water mains of not less than six (6) inches but less than sixteen (16) inches in diameter, and to meet said appropriation the Treasurer with the approval of the Selectmen is authorized and directed to borrow said sum by issuing and selling at one time or from time to time bonds or notes of the Town under and pursuant to the provisions of Chapter 44, Section 8, Clause 5 of the General Laws, as amended, each issue of said bonds or notes to be payable in not more than fifteen years from its date.

A two-thirds vote being required the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

**TWENTY-EIGHTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of sixty-nine thousand dollars (\$69,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for the construction of drains in Marion Street, Naples Road and Osborne Road.

On motion of Herbert Abrams, it was unanimously:

**Voted:** To raise and appropriate the sum of sixty-nine thousand dollars (\$69,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen, for the construction of drains in Marion Street, Naples Road and Osborne Road.

**TWENTY-NINTH ARTICLE.** To see if the Town will raise and appropriate, or appropriate from available funds, the sum of seventy-five thousand dollars (\$75,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for public improvement projects under the Neighborhood Improvement Program in the Mass E-3 Concentrated Code Enforcement Area.

On motion of George V. Brown, Jr., it was unanimously:

**Voted:** To raise and appropriate the sum of seventy-five thousand dollars (\$75,000) to be expended by the Commissioner of Public Works, with the approval of the Board of Selectmen, for public improvement projects under the Neighborhood Improvement Program in the Mass E-3 Concentrated Code Enforcement Area.

**THIRTIETH ARTICLE.** To see if the Town will authorize the Selectmen to take by eminent domain under Chapter 79 of the General Laws, or acquire by purchase or otherwise, an easement twenty-five (25) feet wide, abutting the existing sewer easement from Park Street through Park Vale, a private way, and other private land, to a point in Pierce Playground thence continuing forty (40) feet wide to and through Harvard Place to Harvard Street, and from School Street to Harvard Place twenty (20) feet wide, for the purpose of constructing, reconstructing, maintaining and repairing a surface water drain, sanitary sewer and a water main in certain parcels of land designated in the 1969 Assessors' Atlas of the Town of Brookline, as portions of Lots 1, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 45, 46, 47 in Block 171, more fully described and shown on a plan by H. F. Bryant & Son, dated October 14, 1969, for the Commissioner of Public Works, Leo D. Picardi, on file in the office of the Town Clerk, and will raise and appropriate, or appropriate from available funds in the treasury, a sum of money to pay for the same or to pay for land damages or other costs and expense in connection therewith.



On motion of Harold Kaitz, it was unanimously:

**Voted:** To authorize the Selectmen to take by eminent domain under Chapter 79 of the General Laws, or acquire by purchase or otherwise, an easement twenty-five (25) feet wide, abutting the existing sewer easement from Park Street through Park Vale, a private way, and other private land, to a point in Pierce Playground thence continuing forty (40) feet wide to and through Harvard Place to Harvard Street, and from School Street to Harvard Place twenty (20) feet wide, for the purpose of constructing, reconstructing, maintaining and repairing a surface water drain, sanitary sewer and a water main in certain parcels of land designated in the 1969 Assessors' Atlas of the Town of Brookline, as portions of Lots 1, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 30A, 31, 32, 33, 34, 35, 36, 37, 38, 46, 47 in Block 171, more fully described and shown on a plan by H. F. Bryant & Son, dated October 14, 1969, for the Commissioner of Public Works, Leo D. Picardi, on file in the office of the Town Clerk, and to raise and appropriate the sum of fifteen thousand five hundred dollars (\$15,500) to pay for the same or to pay for land damages or other costs and expenses in connection therewith.

**THIRTY-FIRST ARTICLE.** To see if the Town will raise and appropriate the sum of eighty-five thousand four hundred dollars (\$85,400) to be expended by the Commissioner of Public Works with the approval of the Director of Traffic and Parking for the modernization and improvement of traffic control installations to increase safety at the following locations:

Beacon Street at Washington Street  
Beacon Street at St. Paul Street  
Beacon Street at Kent and Powell Streets  
Washington Street at Cypress and School Streets  
Beacon Street at Summit Avenue

On motion of Robert C. Cochrane, Jr., it was:

**Voted:** To raise and appropriate the sum of eighty-five thousand four hundred dollars (\$85,400) to be expended by the Commissioner of Public Works, with the approval of the Director of Traffic and Parking, for the modernization and improvement of traffic control installations to increase safety at the following locations:

Beacon Street at Washington Street  
Beacon Street at St. Paul Street  
Beacon Street at Kent and Powell Streets  
Washington Street at Cypress and School Streets  
Beacon Street at Summit Avenue

**THIRTY-SECOND ARTICLE.** To see if the Town will raise and appropriate the sum of three thousand dollars (\$3,000) to be expended by the Commissioner of Public Works with the approval of the Director of Traffic and Parking for the installation of a flashing beacon at the intersection of Dean Road and Fisher Avenue.

On motion of George V. Brown, Jr., it was:

**Voted:** To raise and appropriate the sum of three thousand dollars (\$3,000) to be expended by the Commissioner of Public Works with the approval of the Director of Traffic and Parking for the installation of a flashing beacon at the intersection of Dean Road and Fisher Avenue.

**THIRTY-THIRD ARTICLE.** To see if the Town will raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be expended by the Director of Traffic and Parking for the purchase of new parking meters and replacement parts to permit the establishment of new parking meter zones, implementation of revised parking regulations, and decrease maintenance costs.

On motion of Harold Kaitz, it was:

**Voted:** To raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be expended by the Director of Traffic and Parking for the purchase of new parking meters and replacement parts to permit the establishment of new parking meter zones, implementation of revised parking regulations, and decrease maintenance costs.

**THIRTY-FOURTH ARTICLE.** To see if the Town will adopt a resolution: to declare that there exists in the Town a need for low rent housing for elderly persons at rents within the means of such persons of low income, as defined in the United States Housing Act of 1937, as amended, which need is not being adequately met by private enterprise; to approve an application of the Brookline Housing Authority to the Department of Housing and Urban Development, an agency authorized by the said Act to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low rent housing for the elderly projects, for a preliminary loan in an amount not to exceed sixty thousand dollars (\$60,000), for surveys and planning in connection with low rent housing for the elderly projects of not to exceed approximately one hundred fifty (150) dwelling units, and to authorize the Board of Selectmen to execute on behalf of the Town a "Cooperation Agreement" between the Town and the Brookline Housing Authority, substantially in the form of a proposed agreement of which copies are on file in the office of the Board of Selectmen, the Brookline Housing Authority and the Town Clerk, pro-

viding for the local cooperation as may be required by the Department of Housing and Urban Development pursuant to the said Act.

On motion of Harriet Sussman Bremner, it was unanimously:

Voted: That it be and hereby is resolved and declared that there exists in the Town a need for low rent housing for elderly persons at rents within the means of such persons of low income, as defined in the United States Housing Act of 1937, as amended, which need is not being adequately met by private enterprise; to approve an application of the Brookline Housing Authority to the Department of Housing and Urban Development, an agency authorized by the said Act to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low rent housing for the elderly projects, for a preliminary loan in an amount not to exceed sixty thousand dollars (\$60,000), for surveys and planning in connection with low rent housing for the elderly projects of not to exceed approximately one hundred fifty (150) dwelling units, and to authorize the Board of Selectmen to execute on behalf of the Town a "Cooperation Agreement", between the Town and the Brookline Housing Authority, substantially in the form of a proposed agreement of which copies are on file in the office of the Board of Selectmen, the Brookline Housing Authority and the Town Clerk, providing for the local cooperation as may be required by the Department of Housing and Urban Development pursuant to the said Act.

THIRTY-FIFTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds in the Treasury, the sum of seventeen thousand eight hundred ninety-two dollars (\$17,892), to be expended by the Chief of Police, with the approval of the Board of Selectmen, for the payment of charges for services rendered by Special Police Details at the Sacks Building, 39 Aspinwall Avenue — 168 Brook Street, during the period June 11 — November 14, 1968, or will take any other action with respect thereto.

On motion of George V. Brown, Jr., as amended by Stephen B. Goldenberg, it was unanimously:

Voted: To raise and appropriate the sum of seventeen thousand eight hundred ninety-two dollars (\$17,892), to be expended by the Chief of Police, with the approval of the Board of Selectmen, for the payment of charges for services rendered by Special Police Details at the Sacks Building, 39 Aspinwall Avenue — 168 Brook Street, during the period June 11 — November 14, 1968, pursuant to the provisions of G.L., Chapter 44, Section 64, with the request given to the Board of Selectmen to attempt by all legal means at their disposal to promptly recover the sum appropriated by



this Article from the then contractor and/or all other parties involved other than owner.

A four-fifths vote being required the above vote was passed unanimously, was so declared by the Moderator, and is so recorded.

At eleven o'clock on motion it was:

Voted: To recess this meeting until Thursday, April 2, 1970 at half past seven in the evening at the same place.

At the close of the meeting the checkers at the entrance reported that the names of two hundred thirty-two (232) Town Meeting members had been checked as present at this meeting.

Recessed:

THOMAS F. LARKIN  
*Town Clerk*

## RECESSED ANNUAL TOWN MEETING APRIL 2, 1970

In accordance with the vote passed at the Recessed Annual Town Meeting on April 1, 1970, the Town Meeting members met at the High School Auditorium on Thursday, April 2, 1970 at half past seven in the evening.

No Town Meeting member was allowed within the rail until his name had been checked on the list.

At fifty minutes after seven o'clock the checkers reported that one hundred sixty-one (161) names of Town Meeting Members had been checked, or more than one-half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator requested that any Town Meeting member not previously sworn to the faithful performance of his duties to stand. All had been sworn in previously.

**THIRTY-SIXTH ARTICLE.** To see if the Town will file a petition and/or approve a petition to the General Court for legislation to amend section 1 of Chapter 345 of the Acts of 1945, as amended by Chapter 191 of the Acts of 1955, to provide that the Director of Public Health of the Town of Brookline need not devote his entire time to the performance of the duties and obligations imposed by said Acts but that he may devote part time, as determined by the Selectmen, to such duties and obligations.

On motion of George V. Brown, Jr., it was:

**Voted:** To approve the filing of a petition to the General Court, for legislation to amend section 1 of chapter 345 of the Acts of 1945, as amended by chapter 191 of the Acts of 1955, to provide that the director of public health of the Town of Brookline need not devote his entire time to the performance of the duties and obligations imposed by said Acts but that he may devote part time, as determined by the selectmen, to such duties and obligations.

**THIRTY-SEVENTH ARTICLE.** To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

An Act Authorizing the Traffic Director of the Town of Brookline to

adopt regulations for the removal and storage of vehicles illegally parked and to authorize the holding of certain motor vehicles towed for illegal parking in the Town of Brookline until fines have been paid or security for their payment deposited.

Chapter 375 of the Acts of 1968 is hereby amended by adding at the end of the first paragraph of paragraph (a) of section 3, the following paragraph:

The traffic director shall have exclusive authority to adopt, alter or repeal rules and regulations which are provided for in G.L., C. 40, s. 22D, and such regulations may also provide that if a vehicle is removed pursuant to such rules or regulations, such vehicle shall be held until all charges lawfully imposed for such removal and storage following the same have been paid and, if in the calendar year in which such vehicle is so removed and in the preceding calendar year, five or more notices in the aggregate, have been affixed to said vehicle as provided in section twenty C of chapter ninety of the General Laws, due notice has been received that either the fines provided in such notices have been paid or security for the payment thereof has been deposited.

On motion of Sumner Z. Kaplan, it was unanimously:

**Voted:** To approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

An Act Authorizing the Traffic Director of the Town of Brookline to adopt regulations for the removal and storage of vehicles illegally parked and to authorize the holding of certain motor vehicles towed for illegal parking in the Town of Brookline until fines have been paid or security for their payment deposited.

Chapter 375 of the Acts of 1968 is hereby amended by adding at the end of the first paragraph of paragraph (a) of section 3, the following paragraph.

The traffic director shall have exclusive authority to adopt, alter or repeal rules and regulations which are provided for in G. L., C. 40, s. 22D, and such regulations may also provide that if a vehicle is removed pursuant to such rules or regulations, such vehicle shall be held until all charges lawfully imposed for such removal and storage following the same have been paid and, if in the calendar year in which such vehicle is so removed and in the preceding calendar year, five or more notices in the aggregate, have been affixed to said vehicle as provided in section twenty C of chapter ninety of the General Laws, due notice has been received that either the fines provided in such notices have been paid or security for the payment thereof has been deposited.

**THIRTY-EIGHTH ARTICLE.** To see if the Town will accept section 8D of Chapter 40 of the General Laws and will establish an historical commission of the Town for the purposes and with the rights and duties provided by



law, to be composed of five (5) members, residents of the Town, appointed by the Selectmen for terms of three years except that initial appointment shall be one (1) member for one year, two (2) members for two years and two (2) members for three years.

No motion was offered and no action was taken under this Article.

**THIRTY-NINTH ARTICLE.** To see if the Town will amend the Town by-laws by adding thereto Article XXVII as follows, or will take any other action with respect thereto:

#### ARTICLE XXVII

##### *Removal of Snow and Ice from Sidewalks*

**Section 1. Definitions.** The following definitions shall apply in the interpretation and enforcement of this by-law:

(a) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(b) "Business day" is any day not a Sunday or a legal holiday.

(c) "Business hours" are the hours between 9 a.m. and 5 p.m. on any business day.

**Section 2. Snow and Ice to be Removed from Sidewalks by Private Person.**

(a) Every owner or his agent in charge, tenant or occupant, of any building or lot of land within the Town fronting or abutting on a sidewalk, shall remove and clear away, or cause to be removed and cleared away, snow and ice from so much of said sidewalk as is in front of or abuts on said building or lot of land.

(1) Except as provided in subsection (b) hereof, snow and ice shall be removed from sidewalks in all business districts within the Town by four (4) business hours after the cessation of any fall of snow, sleet, or freezing rain or by the beginning of business hours of the next business day following such fall, whichever period is shorter.

(2) Except as provided in subsection (b) hereof, snow and ice shall be removed from all other sidewalks within the Town on the same day of the cessation of any fall of snow, sleet, or freezing rain or within the first twelve (12) hours of daylight after the cessation of any such fall, whichever period is longer.

(b) However, in the event snow and ice on a sidewalk has become so hard that it cannot be removed, the person or entity charged with its removal shall, within the time mentioned in subsection (a) hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel thereon reasonably safe; and shall then, as soon thereafter as weather permits, cause said sidewalk to be thoroughly cleaned.

**Section 3. Penalties.** Any person, partnership, corporation, joint-stock company, or syndicate who violates any provision of this by-law shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding ten dollars. Each day such violation is committed or permitted to continue, shall constitute a separate offense and shall be punishable as such hereunder.

Section 4. *Separability.* If any section, subsection, sentence, clause, phrase, or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the the remaining portions hereof.

On motion of George V. Brown, Jr., it was:

**Voted:** That the Moderator appoint a Committee of seven members to study the subject matter of the proposed by-law, entitled "Removal of Snow and Ice from Sidewalks" and file a report with its recommendations at the next Special Town Meeting.

The above vote was taken by count, one hundred nine (109) voted in the affirmative and seventy (70) voted in the negative.

Prior to the vote count, Robert W. Stokes was appointed as a teller to take the place of George Michelson and he was sworn to the faithful performance of his duties by the Moderator.

**FORTY-FIRST ARTICLE.** To see if the Town will amend Section 3 of Article I of the Town By-Laws by deleting paragraphs a, b, c, and d thereof and substitute therefor the following paragraphs so that Section 3 shall read as follows:

**Section 3.**

(a) There shall be five standing committees of the town meeting; an Appropriation Committee which shall have jurisdiction of town appropriations and expenditures; a Public Service Committee for fire, police, transit, health, highway and traffic matters; a Public and Private Housing Committee for building, code enforcement, rent administration and public housing matters; a Public Buildings Committee for school, library, Town Hall, and lighting and heating plants; and an Administration and Urban Affairs Committee for park and recreation, conservation, forestry, welfare and matters of community interest and concern.

(b) Each committee shall consist of fifteen citizens, who shall serve without pay, 12 of whom shall be town meeting members, one from each precinct. No committee member shall be a salaried officer or employee of the Town or a member of any standing Town board or committee, but this restriction shall not disqualify members of special committees which may be created from time to time by the town meeting, the Moderator, or the Selectmen to report on specific problems.

(c) The twelve town meeting members of each committee shall be elected by the town meeting members of the respective precincts at precinct meetings held during a period of the annual town meeting. In the first year, members from even-numbered precincts shall be elected for a two year term and odd-numbered precincts shall elect for a one year term. Thereafter, committee members shall be elected for a two year term. A vacancy occurring among precinct representatives shall be filled for the unexpired term by a vote of the town meeting members of the precinct. The Moderator shall appoint three members of each committee for a term of two years and he may fill any vacancy by appointment for an unexpired term of any of his appointees.

(d) Each committee shall confer quarter-annually and shall hold such other meetings as it may deem advisable. It shall elect a Chairman annually at its first meeting from its own members and shall appoint a Secretary annually who is not one of its members who shall hold office until another is appointed in his place.

(e) Each committee shall keep a complete record of all committee action. Such record shall include a record of votes on any question on which a recorded vote is demanded.

(f) In case any controversy arises as to the jurisdiction of any standing committee with respect to any proposed article, the question of jurisdiction shall be decided by the Moderator, without debate, in favor of the committee which has jurisdiction over the subject matter which predominates in such proposed article.

(g) Each committee meeting shall be open to the public and the press except that the committee may, by majority vote of the full committee, go into executive session only for the purpose of discussing, deliberating or voting on those matters which by law cannot be made public and those matters which if made public might adversely affect the public security, the financial interest of the Town or the reputation of any person.

(h) Each committee shall consider any matter germane to its jurisdiction and shall file its reports, and from time to time, drafts of articles necessary to carry its recommendations into effect. The committee members shall not be deemed to be executive or administrative officers of the Town but shall serve directly under the town meeting. No article may be filed as a committee recommendation unless a majority of the full committee voted therefor.

(i) Each committee shall so far as practicable exercise continuous watchfulness of the execution of the Articles adopted by the town meeting and each committee shall consider the pertinent recommendations of the Selectmen and other Town officers and committees and all articles in the warrant for the annual town meeting and for any special town meeting. Each committee may examine the books and records of any Town board, committee or officer as far as permitted by law and each may request a town officer to submit or cause to be submitted a written or an oral report on germane matters. All boards, committees and officers proposing to ask for appropriations at the annual town meeting shall submit their estimates for each appropriation to be asked for, with the reasons therefor, to the appropriations committee at the same time they submit them to the Selectmen.

On motion of Robert C. Cochrane, Jr., it was:

Voted: That the Moderator appoint a committee comprised of fifteen Town Meeting Members, one to be appointed from each precinct and three from the Town Meeting Membership at large, to study the subject matter of this Article and all other matters pertaining thereto and submit its report and recommendations, if any, to the 1971 Annual Town Meeting.

**FORTY-SECOND ARTICLE.** Proposed amendment of the by-laws of the Town of Brookline.

The Town Meeting members, being the legally elected representatives of their precinct, have more than just voting rights in the conduct of the



town meetings. We direct the Board of Selectmen to establish a commission of town meeting members to codify those rights and privileges in the form of a by-law to be presented to the annual town meeting next following the acceptance of this resolution for ratification by the Town Meeting.

The commission shall consist of a minimum of one Town Meeting member from each precinct. They shall elect one member to serve as chairman and he shall be authorized to spend up to one thousand dollars in the preparation of this by-law. These expenses will be taken from the Board of Selectmen's General Fund.

On motion of Maurice Alkon, it was:

Voted: That the subject matter of Article 42 be submitted to the same Committee, as set up under Article 41, for its study and report, if any, to the 1971 Annual Town Meeting.

**FORTY-THIRD ARTICLE.** Proposed amendment of the by-laws of the Town of Brookline.

In order to assure a more equitable assessment of the cost of maintaining the Town of Brookline it is proposed that the municipal expense portion of the tax levy be separated from the real estate bill and issued as a separate municipal use service charge to all property owners.

The municipal use portion of this service charge will consist of the annual cost of maintaining general government of the town, the cost of protection of persons and property, and the cost of the town's public works.

Excluded from municipal use billing will be only town, county, state, and federal property and legally constituted places of public worship within the boundaries serviced by the Town of Brookline.

All other property that might be excluded from the annual assessment of this service charge by act of the state legislature will be subject to individual billing any time they have occasion to use municipal services covered by this bill.

Apportionment of the cost of municipal use service charges will be based on the assessed valuation of the property as determined by the town's assessing department.

On motion of Maurice Alkon, it was:

Voted: That the Moderator appoint a separate Committee to redraw

this proposal in proper and legal form and report back to the next appropriate Town Meeting.

**FORTY-FOURTH ARTICLE.** To ask the Town to find that the Federal Government's commitment to the war in Vietnam is adversely affecting the Town's ability to deal with Municipal problems.

Section 1. The Town Meeting appropriates the sum of \$50 and asks that the Board of Selectmen conveys the contents of this resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States, and Representative Thomas P. O'Neill, and take other such action as may be appropriate.

Section 2. The Town of Brookline acting through its Town Meeting finds that the Federal Government's commitment to the war in Vietnam has impeded the Town's ability to deal with municipal problems and has created serious problems for many of the Town's citizens. The Town believes that the war must be ended immediately, all American troops brought home within six months, and the resources committed to the war must be reallocated to pressing domestic problems.

On motion of Richard Belsey, it was:

*Voted:*

Section 1. The Town Meeting asks that the Board of Selectmen conveys the contents of this resolution to the President of the United States, the Vice-President of the United States, Senator Edward M. Kennedy, Senator Edward Brooke, the Speaker of the House of Representatives of the United States, and Representative Thomas P. O'Neill, and take other such action as may be appropriate.

Section 2. The Town of Brookline acting through its Town Meeting finds that the Federal Government's commitment to the war in Vietnam has impeded the Town's ability to deal with municipal problems and has created serious problems for many of the Town's citizens. The Town believes that the war must be ended immediately, all American troops brought home within six months, and the resources committed to the war must be reallocated to pressing domestic problems.

The above vote was taken by a roll call, one hundred ten (110) voted in the affirmative, fifty-four (54) voted in the negative and three (3) voted present.

**FORTY-FIFTH ARTICLE.** To hear and act upon the reports of Town Officers and Committees.

No motion was offered and no action was taken under this Article.

**FORTY-SIXTH ARTICLE.** To see if the Town will authorize taking a sum of money voted for the appropriations heretofore made at this meeting and not voted to be borrowed, from any available funds in the treasury, and will authorize the Assessors to use free cash in the treasury in any available funds to that amount in the determination of the 1970 tax rate.

On motion of Harold Kaitz, it was unanimously:

**Voted:** That the sum of \$300,000.00 be transferred from the Surplus Revenue for the purpose of reducing the tax rate of the current year and the sum of \$13,030.11 be transferred from Overlay Surplus to the Reserve Fund.

**FORTY-SEVENTH ARTICLE.** To appropriate and raise by borrowing or to appropriate from other available funds, such sums of money as may be necessary for all or any of the purposes mentioned in the foregoing articles.

No action is required under this Article.

In accordance with Chapter 63 of the Acts of 1964, all Town Meeting members were sworn to the faithful performance of their duties by the Town Clerk at various intervals during the Town Meeting.

On motion of Matthew Brown, it was unanimously:

**Voted:** That Justin L. Wyner be commended for the outstanding, fair and efficient manner in which he performed his duties as Town Moderator at this Annual Town Meeting. He was given a standing ovation by the Town Meeting members and others in attendance.

At fifty minutes past eleven o'clock on motion it was:

**Voted:** That this Annual Town Meeting be now dissolved.

At the close of the meeting the checkers reported the names of one hundred ninety-seven (197) Town Meeting members had been checked as present at this meeting.

Dissolved:

THOMAS F. LARKIN  
*Town Clerk*



## WARRANT

## THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings;*

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on Tuesday, the Sixteenth Day of June, 1970 at seven-thirty o'clock in the evening for the following purposes, to wit:

FIRST ARTICLE. To see if the Town will appropriate a sum of money for the construction, original equipping and furnishing of a new Pierce School to be located on the expanded Pierce School site; and for remodeling, reconstruction or making extraordinary repairs to that portion of the present Pierce School not scheduled to be demolished; such part of said appropriation as relates to construction and remodeling, reconstruction or making of extraordinary repairs to be expended by the Building Commission with approval of the Board of Selectmen and of the School Committee, and such part of said appropriation as relates to original equipping and furnishing to be expended by the School Committee with the approval of the Board of Selectmen, and further to appropriate a sum of money for the construction of an underground municipal parking facility in connection with the construction of such school to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee, and to authorize the Treasurer to borrow all, or any part of the foregoing appropriations or take any other action relative to the foregoing matters.

SECOND ARTICLE. To see if the Town will accept and allow the alteration and widening of School Street on its southeasterly side, from Harvard Street to Washington Street, as laid out by the Selectmen in the document dated May 18, 1970, and as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 1, 1970, examined and approved by the Town of Brookline Planning Board, on file, respectively, in the Town Clerk's Office and will authorize the Selectmen to acquire land therefor by purchase, taking by eminent domain or otherwise, and to make entry for the purpose of construction before all claims for damages are finally adjusted or determined.

THIRD ARTICLE. To see if the Town will vote to discontinue, as a public way, a portion of Pierce Street, as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the Town of Brookline Planning Board, on file in the Town Clerk's Office, to wit:

Beginning at a point on the northeasterly side of Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, said point being further described as the intersection of the said northeasterly side of said Pierce Street with the southeasterly side of School Street, as widened by the Town March 23, 1915;

Thence running southeasterly along the said northeasterly side of said Pierce Street, by a straight line for a distance of two hundred ninety-seven and sixty hundredths (297.60) feet;

Thence turning and running southwesterly along the prolongation of the division line of Lot 12 and Lot 11 in Block 173, as so designated in the Town of Brookline Assessors' Atlas for 1969, across the said Pierce Street, to its intersection with the southwesterly side of said Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, by a straight line, for a distance of forty and two hundredths (40.02) feet;

Thence turning and running northwesterly along the said southwesterly side of said Pierce Street to its intersection with the said southeasterly side of said School Street, by a straight line, for a distance of two hundred ninety-six and twenty-four hundredths (296.24) feet;

Thence turning and running northeasterly along the said southeasterly side of said School Street, by two (2) straight lines, for distances of twenty and sixty-three hundredths (20.63) feet and nineteen and thirty-eight hundredths (19.38) feet, respectively, to the point of beginning, as shown on the aforesaid plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the said Town of Brookline Planning Board, on file in the Town Clerk's Office.

FOURTH ARTICLE. To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form: —

An Act authorizing the Town of Brookline to make additional moving cost payments and relocation payments to persons displaced by the Pierce School Expansion Program.

Section 1. The Town of Brookline is hereby authorized to make such additional moving cost payments and relocation payments as are authorized by the federal government or any agency thereof pursuant to law as provided in paragraphs (b) and (c) of 42 U.S. Code Annotated s. 1465 (assuming the town would be entitled to reimbursement therefor from the federal government) to individuals, families and business concerns displaced on or after April 14, 1970, in the course of acquisition of land by purchase or taking by said Town for the Pierce School expansion, notwithstanding the limitations on such payments contained in section six A of chapter 79 or in section one of chapter 79A of the General Laws and notwithstanding that the town will not receive any reimbursement from the federal govern-

ment therefor. Any such payments shall not include reimbursement or compensation for any expenses or losses for which reimbursement or compensation would be otherwise made.

Section 2. The Town of Brookline is hereby authorized to make the additional moving cost payments and relocation payments provided for in the preceding section pursuant to the vote adopted under Article Five of the warrant for the special town meeting held on June 16, 1970, notwithstanding that this act was not in force at the time of posting and publication of the warrant for said meeting.

Section 3. This Act shall take effect upon its passage, or will take any other action with respect thereto.

**FIFTH ARTICLE.** To see if the Town will raise and appropriate the sum of forty-four thousand five hundred dollars (\$44,500) to pay for the additional moving cost payments and relocation payments provided for in the legislation requested of the General Court pursuant to the vote under the preceding article in this warrant, provided, however, that no payment may be made pursuant to the vote under this article unless and until enabling legislation therefor is passed, or will take any other action with respect thereto.

**SIXTH ARTICLE.** To see if the Town will amend the Building By-Law of the Town, known as the Brookline Building Code, by striking out the whole of said by-law, as amended, and by substituting in place thereof a new building by-law, copies of which, entitled "Proposed Building Code, Town of Brookline, 9 March 1970 Draft (Revised to May 26, 1970)" are on file on the Offices of the Town Clerk and the Building Commissioner at the Town Hall, which proposed building by-law regulates the inspection, materials, construction, alteration, repair, demolition, removal, height, area, location and use of buildings and structures within the town, provides for the issuances of permits, collection of fees, and penalties for the violation thereof, all as more fully set forth therein, or will take any other action with respect thereto.

**SEVENTH ARTICLE.** To see if the Town will adopt a resolution to declare that there exists in the Town a need for low-rent housing for families of low incomes at rents within the means of such families, which need is not being adequately met by private enterprise; to approve the construction of a new housing project or projects for families of low income, consisting of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom) on one or more sites, by Brookline Housing Authority, with financial assistance by the Commonwealth of Massachusetts of the United States of America, or both, or will take any other action with respect thereto, including authorizing the Board of Selectmen to execute on behalf of the Town an agreement between the Town and Brookline Housing Authority providing for the local cooperation as



may be required by the Commonwealth or the United States of America in connection with such financial assistance; and to approve an application or applications of Brookline Housing Authority to The Commonwealth of Massachusetts or the Department of Housing and Urban Development for a preliminary loan in an amount not to exceed ten thousand dollars (\$10,000) for surveys and planning in connection with low-rent housing for families of low income of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom).

EIGHTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of thirteen thousand dollars (\$13,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for improvements to Corey Hill Park, or will take any other action with respect thereto.

NINTH ARTICLE. To see if the Town will increase the number of Fire Alarm Operators in the Brookline Fire Department from five (5) to eight (8) to meet the recommendations of the National Board of Fire Underwriters for a Type "A" system. The minimum salary to be \$170.00 per week and the maximum salary to be \$185.00 per week with a step increase of \$7.50 as prescribed by the Town Classification and Pay Plan.

TENTH ARTICLE. To appropriate the sum of \$15,000 for salaries for three (3) Fire Alarm Operators for the fiscal year from July 1, 1970 through December 31, 1970.

ELEVENTH ARTICLE. To see if the Town will amend section 3 of Article I of the town by-laws relating to the Advisory Committee by inserting the following paragraph after paragraph b thereof.

bb. A member of the committee shall cease to be a member thereof and be deemed to have vacated such office upon the occurrence of any of the following events, and the giving of notice as hereinafter provided.

1. Removal from the town of Brookline.
2. Removal from the precinct from which he was elected a town meeting member.
3. Upon failure of re-election as a town meeting member.
4. Absence from seven or more duly called and held meetings of the committee during any year of his term.

Sub-paragraphs numbered 2 and 3 shall not be applicable to members designated by the Moderator as members-at-large.

Upon determination of the occurrence of any of such events by the Chairman of the Advisory Committee, written notice thereof and that the addressee has ceased to become a member of the committee shall be mailed or delivered by the secretary to such member. A copy of such notice shall be sent promptly to the Moderator. A vacancy occurring by reason hereof shall be filled for the unexpired term by appointment by the Moderator. In the event of a vacancy occurring by reason of continual absences, the Moderator may reappoint the same person to fill the vacancy.

**TWELFTH ARTICLE.** To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the town of Brookline in substantially the following form:

Section 1. Declaration of Emergency. The General Court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens of Brookline, which emergency has been created by housing demolition, an expanding student population, a substantial existing elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of Brookline.

Section 2. General Powers. In the light of the public emergency existing in Brookline, the town meeting of Brookline may, by by-law, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of housing accommodations in the town and evictions of tenants from such housing accommodations and may, by by-law, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and tenants of such housing accommodations. The rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such housing accommodations. Violations of any by-law adopted pursuant to this Act or any order of the rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

Section 3. Incorporation of Administrative Procedure Act. The provisions of General Laws chapter thirty A shall be applicable to the rent board established under the preceding section as if said rent board were an agency of the Commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

#### Section 4. Conference of Jurisdiction.

(a) The Brookline Municipal Court shall have original jurisdiction, concurrently with the Superior Court, of all petitions for review brought pursuant to General Laws chapter thirty A, section fourteen.

(b) The Superior Court shall have jurisdiction in equity to enforce the provisions of this chapter and any by-laws adopted thereunder, and may restrain by injunction violations thereof.

If the attorney general questions the validity of any by-law adopted by Brookline under this chapter, he shall bring an information in the Superior Court sitting in equity for Norfolk County for a declaratory decree to determine the validity of such by-law.

Section 5. Defense to Summary Process for Possession. The town of Brookline may by by-law regulate the eviction of tenants, and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession brought pursuant to General Laws chapter two hundred and thirty nine, and such orders shall only be reviewable pursuant to sections three and four of this chapter.

Section 6. Exemption from Civil Service. The personnel of the rent board established under Section two shall not be subject to the provisions of General Laws chapter thirty one and General Laws chapter thirty, section nine A.

Section 7. Severability. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 8. Effective Date. This Act shall take effect upon passage, or will take any action with respect thereto.

**THIRTEENTH ARTICLE.** To see if the Town will find and declare that a serious public emergency exists with respect to the housing of a substantial number of the citizens in this Town, which has resulted from a substantial shortage of rental housing accommodations; that, unless residential rents are regulated and controlled and the powers of the Rent Review and Grievance Board heretofore established and presently existing are modified, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of this Town; and to adopt the following amendment to Article XXV of the By-Laws of the Town to add the following provisions:

#### 1. There shall be added a new Section 1A reading as follows:

##### Section 1A: Declaration of Emergency.

"The Town of Brookline, acting by and through its Town Meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of citizens of the Town due to a substantial shortage of rental housing accommodations; that, unless residential rents are regulated and controlled and the powers of the Rent Review and Grievance Board heretofore established and presently existing are modified, such emergency and the inflationary



pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of the Town."

## 2. There shall be added to Section 2 the following subparagraphs:

"(j) Controlled Housing Accommodations. 'Controlled housing accommodations' means all housing accommodations except the following:

"(1) Any boarding or lodging house, club-house, fraternity house or hotel as defined in Article II of the Zoning By-Law.

"(2) Any hospital, convent, monastery, asylum, public institution or college, or school dormitory operated exclusively for charitable or educational purposes on a non-profit basis.

"(3) Any housing accommodations owned and operated by the United States or the Commonwealth of Massachusetts or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority, or the Town of Brookline.

"(4) Any housing accommodations contained in a single building or structure that is occupied for living or dwelling purposes by no more than two families (as 'family' is defined in Article II of the Zoning By-Law) provided that one or more members of said families is the owner of the building or structure.

"(5) Any housing accommodations that were never occupied by a tenant prior to the effective date of this subparagraph 2 (j) (5).

"(k) Maximum Rent.

"(1) 'Maximum rent' for any controlled housing accommodations that were occupied by a tenant on January 1, 1970 means the rent charged therefor on said date.

"(2) 'Maximum rent' for any controlled housing accommodations that were not occupied by a tenant on January 1, 1970 but were occupied by a tenant on some date prior or subsequent thereto, means the rent charged in the period preceding January 1, 1970 during which the housing accommodations were last occupied by a tenant, or, if the housing accommodations were not occupied prior to January 1, 1970, the rent charged by the landlord in the period subsequent to January 1, 1970, during which the housing accommodations were first occupied by a tenant.

"(l) Minimum Services.

"(1) 'Minimum services' for any controlled housing accommodations that were occupied by a tenant on January 1, 1970 means all of the services provided by the landlord to the tenant on said date.

"(2) 'Minimum rent' for any controlled housing accommodations that were not occupied by a tenant on January 1, 1970 but were occupied by a tenant on some date prior or subsequent thereto, means all of the services provided by the landlord to the tenant in the period preceding January 1, 1970 during which the housing accommodations were last occupied by a tenant, or, if the housing accommodations were not occupied by a tenant prior to January 1, 1970, all of the services provided by the landlord to the tenant in the period subsequent to January 1, 1970 during which the housing accommodations were first occupied by a tenant."

3. There shall be added to Section 3 subparagraphs (g) and (h) which read as follows:

“(g) The Board shall have the power to adopt, issue, alter and repeal rules, regulations and orders, to investigate alleged or reported violations of this Article, as amended, or of its rules, regulations and orders and to take any other action which it deems necessary or desirable to the administration and enforcement of this Article, as amended, its rules, regulations and orders, and which it is not prohibited by law from taking.

“(h) The Board shall have the power to enforce this Article, as amended, or, any rule, regulation or order hereunder, including the power to institute and defend actions and suits and to intervene in any suit or action wherein the party relies for grounds of relief upon this Article, as amended, or any rule, regulation or order hereunder, in any manner not prohibited by law and may take any of such actions in the name of the Town.”

#### 4. There shall be a new Section 4A which shall read as follows:

“Section 4A: Registration.

“Within 60 days after the date this Section 4A becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of controlled housing accommodations rented or offered for rent shall file in triplicate a verified written statement on the form provided therefor (or a form reasonably acceptable to the Board) to be known as a registration statement. The statement shall identify each dwelling unit, and specify the minimum services and the maximum rent for such dwelling unit and shall contain such other information as the Board shall require. The original shall remain on file with the Board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor (or a form reasonably acceptable to the Board), on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

“Whenever the maximum rent or minimum services are changed by order of the Board, the landlord shall deliver his stamped copy of the registration statement to the Board office for appropriate action reflecting such change.”

#### 5. There shall be added a new Section 5A which reads as follows:

“Section 5A: Adjustment of Maximum Rent or Minimum Services.

“(a) Any landlord or tenant of any controlled housing accommodations may file a verified written petition with the Board for an increase, decrease or other adjustment in the maximum rent or minimum services of such housing accommodations. It shall allege that an adjustment of the maximum rent or minimum services is necessary to remove hardships, correct other inequities or otherwise effectuate the purposes and provisions of this Article, as amended, and shall specify the facts constituting said hardships, inequities or other problems stated therein and shall contain such other information as may be required by the Board.

“(b) Upon the receipt of such a petition, or upon its own initiative, the Board's staff shall undertake promptly an investigation in connection therewith. The Board Chairman may appoint a Board member to supervise the investigation.

The investigation may include discussions with the tenenat or tenants, with the landlord, and with any other person having information and knowledge relevant to the circumstances of the case. The staff and/or the Board member so designated shall file a written report setting forth their conclusions and their reasons therefor to the Board. The Board shall schedule the case for hearing as soon as practicable and shall give written notice of the time, date, place and purpose of such hearing to the landlord and tenant or tenants of the controlled housing accommodations which constitute the subject matter of the case, to the Board of Selectmen and by publication in a newspaper of general circulation in the Town, not less than 14 days prior to the date of such hearing. Any petition or reports of the staff and/or Board member concerning the case shall be available at the Board offices to all interested persons at least 3 days prior to the date of such hearing.

“(c) At any hearing conducted by the Board, all interested persons shall be given a reasonable opportunity to be heard and shall have the right to be represented by counsel: The Board shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath or affirmation.

“(d) After conducting such hearing and considering all relevant evidence, the Board shall issue an order regarding the adjustment to be made, if any, of the maximum rent and the minimum services of the housing accommodations that were the subject of the hearing. The Board shall make no adjustments of the maximum rent or minimum services of any controlled housing accommodations unless and until it conducts a hearing as provided herein. The Board shall not increase the maximum rent of any controlled housing accommodations unless and until the landlord thereof certifies in writing and under oath to the Board that he is providing the minimum services therefor and will continue to provide said minimum services until such time as they may be adjusted by the Board, and submits certificates of compliance from appropriate Town agencies certifying that such housing accommodations are in compliance with applicable health, safety, building and zoning laws, regulations and by-laws.

“(e) In deciding whether an adjustment of the maximum rent or minimum services of any housing accommodations is necessary to remove hardships, correct other inequities or further effectuate the purposes and provisions of this Article, as amended, the Board shall give due weight to the principle of establishing and maintaining rents for controlled housing accommodations at levels which will yield to landlords a fair return from such housing accommodations; and shall give due consideration to the following, among other relevant factors:

“(1) increases or decreases in property taxes;

“(2) unavoidable increases in operating and maintenance expenses;

“(3) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement and maintenance;

“(4) increases or decreases in living space, furniture, furnishings or equipment;

“(5) substantial deterioration of the housing accommodations, other than ordinary wear and tear;

“(6) failure to perform ordinary repair, replacement or maintenance;

“(7) the experiences of rent control boards in New York City and other communities that presently have or have had a system of rent control; and



“(8) the suggestions of economists, bankers, real estate boards, and similar persons with a knowledge of the financing and management of real estate.

“(f) The Board shall at least once annually review any increase in the real property tax rate of the Town and any increase in an appropriate price or cost index published by an agency of the United States. If the Board finds that there have been increases in such rate or index, it may issue an order or ruling authorizing every landlord of controlled housing accommodations to increase rents on such accommodations by a percentage which fairly reflects the increase in such rate or index. Upon the issuance by the Board of such an order or ruling, maximum rents may be increased by a percentage not exceeding such percentage without the filing and approval of the petition otherwise required under the preceding subsections of this Section.”

6. There shall be a new Section 6A which reads as follows:

“Section 6A: Prohibitions and Penalties

“(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

“(1) To demand, accept or receive any rent for use or occupancy of any controlled housing accommodations in excess of the maximum rent; to fail or neglect to furnish the minimum services in any controlled housing accommodations; or otherwise to do or omit to do any act, in violation of this Article, as amended, or any rule, regulation, or order hereunder or to offer, solicit, attempt or agree to do any of the foregoing.

“(2) To deprive or attempt to deprive, by coercion, fraud or duress, any person of the benefits of this Article, as amended, or any rule, regulation or order hereunder.

“(3) To evade any provision of this Article, as amended, or any rule, regulation or order hereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modifications of the services furnished with housing accommodations, or by tying agreement or otherwise.

“(4) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or agreement for the use of such accommodations, because such tenant or occupant has taken, or proposes to take, action authorized or required by this Article, as amended, or any rule, regulation or order hereunder.

“(b) Any agreement by a tenant to waive the benefit of any provision of this Article, as amended, or any rule, regulation or order hereunder, shall be void.

“(c) Any agent, broker or other authorized representative who violates any provision of this Article, as amended, or any rule, regulations or order hereunder, shall be presumed to be acting within the scope of his authority or with the subsequent ratification of his principal.

“(d) Any person who commits an unlawful act described in subparagraph (a) of this Section 6A, or any person who shall willfully resist, prevent, impede or interfere with the Board or any of its members or representatives in the perform-

ance of duty under this Article, as amended, or any rule, regulation or order hereunder, shall be punished for each offense by a fine of not more than Fifty Dollars (\$50), as determined by the Board."

7. There shall be added a new Section 10 to read as follows:

"Section 10: Miscellaneous

"(a) Nothing in this Article shall be construed to require any person to offer any housing accommodations for rent.

"(b) Nothing in this Article shall be interpreted or construed to authorize the prohibition, in the case of any rental agreement hereafter entered into, of the demand or collection of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance."

8. There shall be added a new Section 11 to read as follows:

"Section 11: Suspension of Certain Sections

"Upon the effective date of Section 4A, 5A and 6A, the application of paragraphs (b) and (c) of Section 3 and Sections 4, 5 and 6 of this Article, shall be suspended; and the Board shall have and exercise all the powers set forth in and pursuant to this Article, as amended, except for such provisions the application of which is hereby suspended. If at any time thereafter, the Board is prevented by preliminary or permanent injunction issued after a contested hearing by any court having jurisdiction from applying the provisions of Section 4A, 5A and 6A generally to controlled housing accommodations in the Town or if any of Sections 4A, 5A or 6A hereof is declared invalid after trial in the Superior Court or the Supreme Judicial Court of the Commonwealth of Massachusetts, the Board may vote to suspend the application of Sections 4A, 5A and 6A and the prior suspension of the applications of Sections 4, 5 and 6 and paragraphs (b) and (c) of Section 3 shall thereupon terminate and the Board shall have and exercise all of the powers set forth in and pursuant to Article XXV, as amended, except for such Sections 4A, 5A and 6A."

and to raise and appropriate the sum of \$70,000 to be added to the appropriation of \$32,865 heretofore made by this Town Meeting for the Rent Review and Grievance Board, all for the purpose of enforcing Article XXV, as amended, of the By-Laws of the Town, or will take any other action with respect thereto.

FOURTEENTH ARTICLE. To see if the Town will accept the bequest of five thousand dollars (\$5,000) to the Brookline School Committee, under the will of the late Dr. Thomas P. Kendrick, to be known as "THE KENDRICK MEMORIAL," on the terms set forth therein, to wit: — the income to be used for scholarships to members of the graduating class of Brookline High School who best combine excellence in scholarship with excellence in athletic achievement.

FIFTEENTH ARTICLE. To hear and act upon the reports of Town Officers and Committees.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this twenty-sixth day of May in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.  
SUMNER Z. KAPLAN  
ROBERT C. COCHRANE, JR.  
HERBERT ABRAMS  
ELEANOR MYERSON  
*Board of Selectmen*

A true copy, ATTEST: Thomas J. Hill, Jr., Constable

NORFOLK, SS.

BROOKLINE, MASSACHUSETTS, JUNE 2, 1970

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 p.m., Tuesday, June 16, 1970, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of May 28, 1970, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

THOMAS J. HILL, JR.  
*Constable*

I hereby certify that at least seven days before the time of said meeting I notified the Town Meeting Members of said meeting by letter on March 9, 1970, having printed copies of the Warrant mailed on March 10, 1970 and copies of the Reports of the Selectmen and Advisory Committee mailed on March 13, 1970 to the last known address of said members.

Attest:  
THOMAS F. LARKIN  
*Town Clerk*



May 15, 1970

To 'Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held as follows:

TUESDAY, JUNE 16, 1970

The meeting will be held in the Auditorium of the Brookline High School at 7:30 p.m.

In the event the meeting is not completed in one night, Thursday, June 18, 1970 and Tuesday, June 23, 1970 have been reserved at the High School for the recessed meetings.

*Very truly yours,*  
THOMAS F. LARKIN  
*Town Clerk*

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(petition) (\$70,000) .....
  14. Acceptance of gift u/w Dr. Thomas P. Kendrick, to  
be known as "THE KENDRICK MEMORIAL" .....
  15. Reports of Town Officers and Committees .....

## SPECIAL TOWN MEETING

JUNE 16, 1970

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline, March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, the sixteenth day of June, 1970 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Edward Fahey, Edward M. Kelly, Joseph F. Egan and Robert F. Breen, checkers, who were sworn to the faithful discharge of their duties by the Town Clerk. The list contained the names of two hundred seventy-two (272) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline. No Town Meeting Member was allowed within the rail until his name had been checked on the list.

At thirty-five minutes past seven o'clock the checkers reported that one hundred thirty-eight (138) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present. The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator appointed the following members as tellers; Mary M. Joyce, John J. Doherty, Maurice Davis, J. Robert Morse, George Michelson and Martha G. Edmondson. They were sworn to the faithful performance of their duties by the Town Clerk.

Town Meeting Members not previously sworn in were sworn to the faithful performance of the duties by the Town Clerk.

The Moderator gave a list of the rules he would like to follow at Town Meetings.

Mr. Harold Kaitz, Chairman of the Advisory Committee, addressed the meeting.

**FIRST ARTICLE.** To see if the Town will appropriate a sum of money



for the construction, original equipping and furnishing of a new Pierce School to be located on the expanded Pierce School site; and for remodeling, reconstruction or making extraordinary repairs to that portion of the present Pierce School not scheduled to be demolished; such part of said appropriation as relates to construction and remodeling, reconstruction or making of extraordinary repairs to be expended by the Building Commission with approval of the Board of Selectmen and of the School Committee, and such part of said appropriation as relates to original equipping and furnishing to be expended by the School Committee with the approval of the Board of Selectmen, and further to appropriate a sum of money for the construction of an underground municipal parking facility in connection with the construction of such school to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee, and to authorize the Treasurer to borrow all, or any part of the foregoing appropriations or take any other action relative to the foregoing matters.

On motion of George V. Brown, Jr., it was unanimously:

Voted: That the second vote under Article one should be amended to read fifteen years instead of twenty years.

On motion of George V. Brown, Jr., seconded by Jacques M. Dronsick, it was unanimously:

Voted: To appropriate the sum of five million two hundred sixty four thousand dollars (\$5,264,000) for the construction and original equipping and furnishing of the New Pierce School, to be located on the expanded Pierce School site, such part of said appropriation as relates to construction to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee and such part as relates to the original equipping and furnishing to be expended by the School Committee with the approval of the Selectmen; and to further appropriate the sum of thirty thousand dollars (\$30,000) for remodeling, reconstructing or making of extraordinary repairs to that portion of the present Pierce School not scheduled to be demolished to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee; and to further appropriate the sum of seven hundred three thousand dollars (\$703,000) for the construction of an underground municipal parking facility in connection with the construction of such new school to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee.

On motion of George V. Brown, Jr., seconded by Jacques M. Dronsick, it was unanimously:

Voted: To meet said appropriation for the construction and original equipping and furnishing of the new Pierce School, the Treasurer be authorized when so directed by the Board of Selectmen to borrow the amount of five million two hundred sixty-four thousand dollars (\$5,264,000) under authority of Chapter 645, Acts of 1948, as amended, and to issue bonds or notes therefor to be paid in not more than fifteen years from the date thereof; and to meet said appropriation of thirty thousand dollars (\$30,000) for remodeling, reconstructing or making of extraordinary repairs for that portion of the present Pierce School not scheduled to be demolished, the sum of thirty thousand dollars (\$30,000) to be raised and appropriated in the tax levy of the current year; and to meet said appropriation of seven hundred three thousand dollars (\$703,000) for the construction of an underground municipal parking facility, the sum of twenty three thousand dollars (\$23,000) to be raised and appropriated in the tax levy of the current year, and the treasurer be authorized, when so directed by the Board of Selectmen to borrow the sum of six hundred eighty thousand dollars (\$680,000) under authority of Chapter 44, section 7, clause 3 of the General Laws and to issue bonds or notes therefor, each of such bonds or notes to be paid in not more than fifteen years from the date thereof.

SECOND ARTICLE. To see if the Town will accept and allow the alteration and widening of School Street on its southeasterly side, from Harvard Street to Washington Street, as laid out by the Selectmen in the document dated May 18, 1970, and as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 1, 1970, examined and approved by the Town of Brookline Planning Board, on file, respectively, in the Town Clerk's Office and will authorize the Selectmen to acquire land therefor by purchase, taking by eminent domain or otherwise, and to make entry for the purpose of construction before all claims for damages are finally adjusted or determined.

On motion of Jacques M. Dronsick, seconded by George V. Brown, Jr., it was unanimously:

Voted: To accept and allow the alteration and widening of School Street on its southeasterly side, from Harvard Street to Washington Street, as laid out by the Selectmen in the document dated May 18, 1970, and as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 1, 1970, examined and approved by the Town of Brookline Planning Board, on file, respectively, in the Town Clerk's Office and to authorize the Selectmen to acquire land therefor by purchase, taking by eminent domain or otherwise, and to make entry for the purpose of construction before all claims for damages are finally adjusted or determined.

THIRD ARTICLE. To see if the Town will vote to discontinue, as a public

way, a portion of Pierce Street, as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the Town of Brookline Planning Board, on file in the Town Clerk's Office, to wit:

Beginning at a point on the northeasterly side of Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, said point being further described as the intersection of the said northeasterly side of said Pierce Street with the southeasterly side of School Street, as widened by the Town March 23, 1915;

Thence running southeasterly along the said northeasterly side of said Pierce Street, by a straight line for a distance of two hundred ninety-seven and sixty hundredths (297.60) feet;

Thence turning and running southwesterly along the prolongation of the division line of Lot 12 and Lot 11 in Block 173, as so designated in the Town of Brookline Assessors' Atlas for 1969, across the said Pierce Street, to its intersection with the southwesterly side of said Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, by a straight line, for a distance of forty and two hundredths (40.02) feet;

Thence turning and running northwesterly along the said southwesterly side of said Pierce Street to its intersection with the said southeasterly side of said School Street, by a straight line, for a distance of two hundred ninety-six and twenty-four hundredths (296.24) feet;

Then turning and running northeasterly along the said southeasterly side of said School Street, by two (2) straight lines, for distances of twenty and sixty-three hundredths (20.63) feet and nineteen and thirty-eight hundredths (19.38) feet, respectively, to the point of beginning, as shown on the aforesaid plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the said Town of Brookline Planning Board, on file in the Town Clerk's Office.

On motion of Jacques M. Dronsick, seconded by George V. Brown, Jr., it was unanimously:

Voted: To discontinue, as a public way, a portion of Pierce Street, as shown on a plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the Town of Brookline Planning Board, on file in the Town Clerk's Office, to wit:

Beginning at a point on the northeasterly side of Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, said point being further described as the intersection of the said northeasterly side of said Pierce Street with the southeasterly side of School Street, as widened by the Town March 23, 1915;

Thence running southeasterly along the said northeasterly side of said Pierce Street, by a straight line for a distance of two-hundred ninety-seven and sixty hundredths (297.60) feet;

Thence turning and running southwesterly along the prolongation of the division line of Lot 12 and Lot 11 in Block 173, as so designated in the Town of Brookline Assessors' Atlas for 1969, across the said Pierce Street, to its intersection



with the southwesterly side of said Pierce Street, as widened by the Town September 18, 1854 as Prospect Street and renamed Pierce Street March 28, 1966, by a straight line, for a distance of forty and two hundredths (40.02) feet;

Thence turning and running northwesterly along the said southwesterly side of said Pierce Street to its intersection with the said southeasterly side of said School Street, by a straight line, for a distance of two hundred ninety-six and twenty-four hundredths (296.24) feet;

Thence turning and running northeasterly along the said southeasterly side of said School Street, by two (2) straight lines, for distances of twenty and sixty-three hundredths (20.63) feet and nineteen and thirty-eight hundredths (19.38) feet, respectively, to the point of beginning, as shown on the aforesaid plan by Leo D. Picardi, Commissioner of Public Works, dated May 11, 1970, examined and approved by the said Town of Brookline Planning Board, on file in the Town Clerk's Office.

**FOURTH ARTICLE.** To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

An Act authorizing the Town of Brookline to make additional moving cost payments and relocation payments to persons displaced by the Pierce School Expansion Program.

**SECTION 1.** The Town of Brookline is hereby authorized to make such additional moving cost payments and relocation payments as are authorized by the federal government or any agency thereof pursuant to law, as provided in paragraphs (b) and (c) of 42 U.S. Code Annotated s. 1465 (assuming the town would be entitled to reimbursement therefor from the federal government) to individuals, families and business concerns displaced, on or after April 14, 1970, in the course of acquisition of land by purchase or taking by said Town for the Pierce School expansion, notwithstanding the limitations on such payments contained in section six A of chapter 79 or in section one of chapter 79A of the General Laws and notwithstanding that the town will not receive any reimbursement from the federal government therefor. Any such payments shall not include reimbursement or compensation for any expenses or losses for which reimbursement or compensation would be otherwise made.

**SECTION 2.** The Town of Brookline is hereby authorized to make the additional moving cost payments and relocation payments provided for in the preceding section pursuant to the vote adopted under Article Five of the warrant for the special town meeting held on June 16, 1970, notwithstanding that this act was not in force at the time of posting and publication of the warrant for said meeting.

**SECTION 3.** This Act shall take effect upon its passage,

or will take any other action with respect thereto:

On motion of Herbert K. Bremner, it was:

**Voted:** To petition and/or approve a petition to the General Court for a special act relating to the Town of Brookline in substantially the following form:

An Act authorizing the Town of Brookline to make additional moving cost payments and relocation payments to persons displaced by the Pierce School Expansion Program.

SECTION 1. The Town of Brookline is hereby authorized to make such additional moving cost payments and relocation payments as are authorized by the federal government or any agency thereof pursuant to law, as provided in paragraphs (b) and (c) of 42 U.S. Code Annotated s. 1465 (assuming the town would be entitled to reimbursement therefor from the federal government) to individuals, families and business concerns displaced, on or after April 14, 1970, in the course of acquisition of land by purchase or taking by said Town for the Pierce School expansion, notwithstanding the limitations on such payments contained in section six A of chapter 79 or in section one of chapter 79A of the General Laws and notwithstanding that the town will not receive any reimbursement from the federal government therefor. Any such payments shall not include reimbursement or compensation for any expenses or losses for which reimbursement or compensation would be otherwise made.

SECTION 2. The Town of Brookline is hereby authorized to make the additional moving cost payments and relocation payments provided for in the preceding section pursuant to the vote adopted under Article Five of the warrant for the special town meeting held on June 16, 1970, notwithstanding that this act was not in force at the time of posting and publication of the warrant for said meeting.

SECTION 3. This Act shall take effect upon its passage.

FIFTH ARTICLE. To see if the Town will raise and appropriate the sum of forty-four thousand five hundred dollars (\$44,500) to pay for the additional moving cost payments and relocation payments provided for in the legislation requested of the General Court pursuant to the vote under the preceding article in this warrant, provided, however, that no payment may be made pursuant to the vote under this article unless and until enabling legislation therefor is passed, or will take any other action with respect thereto.

On motion of Herbert K. Bremner, it was:

Voted: To raise and appropriate the sum of forty-four thousand five hundred dollars (\$44,500) to pay for the additional moving cost payments and relocation payments provided for in the legislation requested of the General Court pursuant to the vote under the preceding article in this warrant, provided, however, that no payment may be made pursuant to the vote under this article unless and until enabling legislation therefor is passed.

SIXTH ARTICLE. To see if the Town will amend the Building By-Law of the Town, known as the Brookline Building Code, by striking out the whole of said by-law, as amended, and by substituting in place thereof a new building by-law, copies of which, entitled "Proposed Building Code, Town of Brookline, 9 March 1970 Draft (Revised to May 26, 1970)" are on file

in the Offices of the Town Clerk and the Building Commissioner at the Town Hall, which proposed building by-law regulates the inspection, materials, construction, alteration, repair, demolition, removal, height, area, location and use of buildings and structures within the town, provides for the issuance of permits, collection of fees, and penalties for the violation thereof, all as more fully set forth therein, or will take any other action with respect thereto.

No motion was offered and no action was taken under this article.

**SEVENTH ARTICLE.** To see if the Town will adopt a resolution to declare that there exists in the Town a need for low-rent housing for families of low income at rents within the means of such families, which need is not being adequately met by private enterprise; to approve the construction of a new housing project or projects for families of low income, consisting of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom) on one or more sites, by Brookline Housing Authority, with financial assistance by the Commonwealth of Massachusetts or the United States of America, or both, or will take any other action with respect thereto, including authorizing the Board of Selectmen to execute on behalf of the Town an agreement between the Town and Brookline Housing Authority providing for the local cooperation as may be required by the Commonwealth or the United States of America in connection with such financial assistance; and to approve an application or applications of Brookline Housing Authority to The Commonwealth of Massachusetts or the Department of Housing and Urban Development for a preliminary loan in an amount not to exceed ten thousand dollars (\$10,000) for surveys and planning in connection with low-rent housing for families of low income of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom).

On motion of George V. Brown, Jr., seconded by Harriet Sussman Bremner, it was:

**Voted:** That it be and hereby is resolved and declared that there exists in the Town a need for low-rent housing for families of low income at rents within the means of such families, which need is not being adequately met by private enterprise; to approve the construction of a new housing project or projects for families of low income, consisting of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom) on one or more sites by Brookline Housing Authority, with financial assistance by the Commonwealth of Massachusetts or the United States of America, or both, including authorizing the Board of Selectmen to execute on behalf of the Town an agreement between the Town and Brookline Housing Authority providing for the local cooperation as may be required by the Commonwealth or the United States of America in connection with such financial assistance; and to approve an application or applications of Brookline



Housing Authority to the Commonwealth of Massachusetts or the Department of Housing and Urban Development for a preliminary loan in an amount not to exceed ten thousand dollars (\$10,000) for surveys and planning in connection with low-rent housing for families of low income of up to a total of twenty-five (25) dwelling units (four-bedroom and five-bedroom).

EIGHTH ARTICLE. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of thirteen thousand dollars (\$13,000) to be expended by the Park and Recreation Commission, with the approval of the Board of Selectmen, for improvements to Corey Hill Park, or will take any other action with respect thereto.

A motion for the adoption of this article by Raymond Herman was defeated.

NINTH ARTICLE. To see if the Town will increase the number of Fire Alarm Operators in the Brookline Fire Department from five (5) to eight (8) to meet the recommendations of the National Board of Fire Underwriters for a Type "A" system. The minimum salary to be \$170.00 per week and the maximum salary to be \$185.00 per week with a step increase of \$7.50 as prescribed by the Town Classification and Pay Plan.

A resolve offered under this article by Edward T. Peters was defeated.

TENTH ARTICLE. To appropriate the sum of \$15,000 for salaries for three (3) Fire Alarm Operators for the fiscal year from July 1, 1970 through December 31, 1970.

No motion was offered and no action was taken under this Article.

ELEVENTH ARTICLE. To see if the Town will amend section 3 of Article I of the town by-laws relating to the Advisory Committee by inserting the following paragraph after paragraph b thereof.

bb. A member of the committee shall cease to be a member thereof and be deemed to have vacated such office upon the occurrence of any of the following events, and the giving of notice as hereinafter provided.

1. Removal from the town of Brookline.
2. Removal from the precinct from which he was elected a town meeting member.
3. Upon failure of re-election as a town meeting member.
4. Absence from seven or more duly called and held meetings of the committee during any year of his term.

Sub-paragraphs numbered 2 and 3 shall not be applicable to members designated by the Moderator as members-at-large.

Upon determination of the occurrence of any of such events by the Chairman of the Advisory Committee, written notice thereof and that the addressee has ceased to become a member of the committee shall be mailed or delivered by the secretary to such member. A copy of such notice shall be sent promptly to the Moderator. A vacancy occurring by reason hereof shall be filled for the unexpired term by appointment by the Moderator. In the event of a vacancy occurring by reason of continual absences, the Moderator may reappoint the same person to fill the vacancy.

On motion of Owen M. Carle, it was:

Voted: To amend section 3 of Article I of the town by-laws relating to the Advisory Committee by inserting the following paragraph after paragraph b thereof.

bb. A member of the committee shall cease to be a member thereof and be deemed to have vacated such office upon the occurrence of any of the following events, and the giving of notice as hereinafter provided.

1. Removal from the town of Brookline.

2. Removal from the precinct from which he was elected a town meeting member.

3. Upon failure of re-election as a town meeting member.

4. Absence from seven or more duly called and held meetings of the committee during any year of his term.

Sub-paragraphs numbered 2 and 3 shall not be applicable to members designated by the Moderator as members-at-large.

Upon determination of the occurrence of any of such events by the Chairman of the Advisory Committee, written notice thereof and that the addressee has ceased to become a member of the committee shall be mailed or delivered by the secretary to such member. A copy of such notice shall be sent promptly to the Moderator. A vacancy occurring by reason hereof shall be filled for the unexpired term by appointment by the Moderator. In the event of a vacancy occurring by reason of continual absences, the Moderator may reappoint the same person to fill the vacancy.

**TWELFTH ARTICLE.** To see if the Town will petition and/or approve a petition to the General Court for a special act relating to the town of Brookline in substantially the following form:

**SECTION 1. Declaration of Emergency.**

The General Court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens of Brookline, which emergency has been created by housing demolition, an expanding student population, a substantial existing elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further

inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of Brookline.

#### SECTION 2. General Powers.

In the light of the public emergency existing in Brookline, the town meeting of Brookline may, by by-law, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of housing accommodations in the town and evictions of tenants from such housing accommodations and may by by-law, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and tenants of such housing accommodations. The rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such housing accommodations. Violations of any by-law adopted pursuant to this Act or any order of the rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

#### SECTION 3. Incorporation of Administrative Procedure Act.

The provisions of General Laws chapter thirty A shall be applicable to the rent board established under the preceding section as if said rent board were an agency of the Commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

#### SECTION 4. Conference of Jurisdiction.

(a) The Brookline Municipal Court shall have original jurisdiction, concurrently with the Superior Court, of all petitions for review brought pursuant to General Laws chapter thirty A, section fourteen.

(b) The Superior Court shall have jurisdiction in equity to enforce the provisions of this chapter and any by-laws adopted thereunder, and may restrain by injunction violations thereof.

If the attorney general questions the validity of any by-law adopted by Brookline under this chapter, he shall bring in information in the Superior Court sitting in equity for Norfolk County for a declaratory decree to determine the validity of such by-law.

#### SECTION 5. Defense to Summary Process for Possession.

The town of Brookline may by by-law regulate the evictions of tenants, and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession brought pursuant to General Laws chapter two hundred and thirty nine, and such orders shall only be reviewable pursuant to sections three and four of this chapter.

#### SECTION 6. Exemption from Civil Service.

The personnel of the rent board established under Section two shall not be subject to the provisions of General Laws chapter thirty one and General Laws chapter thirty, section nine A.



**SECTION 7. Severability.**

If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

**SECTION 8. Effective Date.**

This Act shall take effect upon passage.

or will take any other action with respect thereto.

On motion of Carl M. Sapers, amended by Daniel G. Partan, it was:

**Voted:** To petition and/or approve a petition to the General Court for a special act relating to the town of Brookline in substantially the following form:

**SECTION 1. Declaration of Emergency.**

The General Court finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens of Brookline, which emergency has been created by housing demolition, an expanding student population, a substantial existing elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes; that such emergency should be met by the commonwealth immediately and with due regard for the rights and responsibilities of Brookline.

**SECTION 2. General Powers.**

In the light of the public emergency existing in Brookline, the town meeting of Brookline may, by by-law, regulate rents for the use or occupancy of housing accommodations in the town, establish a rent board for the purpose of regulating rents, minimum standards for use or occupancy of housing accommodations in the town and evictions of tenants from such housing accommodations and may, by by-law, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations. Such rents, standards and evictions may be regulated by the rent board so as to remove hardships or correct inequities for both the owner and tenants of such housing accommodations. The rent board shall have all powers necessary or convenient to perform its functions. It may make rules and regulations, require registration by owners of housing accommodations under penalty of perjury of information relating to the housing accommodations, sue and be sued, compel the attendance of persons and the production of papers and information, and issue appropriate orders which shall be binding on both the owner and tenants of such housing accommodations. Violations of any by-law adopted pursuant to this Act or any order of the rent board shall be punishable by a fine of not more than one thousand dollars for any one offense.

SECTION 3. *Incorporation of Administrative Procedure Act.*

The provisions of General Laws chapter thirty A shall be applicable to the rent board established under the preceding section as if said rent board were an agency of the Commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

SECTION 4. *Conference of Jurisdiction.*

(a) The Brookline Municipal Court shall have original jurisdiction, concurrently with the Superior Court, of all petitions for review brought pursuant to General Laws chapter thirty A, section fourteen.

(b) The Superior Court shall have jurisdiction in equity to enforce the provisions of this chapter and any by-laws adopted thereunder, and may restrain by injunction violations thereof.

If the attorney general questions the validity of any by-law adopted by Brookline under this chapter, he shall bring in information in the Superior Court sitting in equity for Norfolk County for a declaratory decree to determine the validity of such by-law.

SECTION 5. *Defense To Summary Process For Possession.*

The town of Brookline may by by-law regulate the evictions of tenants, and the rent board, established under section two, may issue orders which shall be a defense to an action of summary process for possession brought pursuant to General Laws chapter two hundred and thirty nine, and such orders shall only be reviewable pursuant to sections three and four of this chapter.

SECTION 6. *Exemption From Civil Service.*

The personnel of the rent board established under Section two shall not be subject to the provisions of General Laws chapter thirty one and General Laws chapter thirty, section nine A.

SECTION 7. *Severability.*

If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 8. *Effective Date.*

This Act shall take effect upon passage.

THIRTEENTH ARTICLE. To see if the Town will find and declare that a serious public emergency exists with respect to the housing of a substantial number of the citizens in this Town, which has resulted from a substantial shortage of rental housing accommodations; that, unless residential rents are regulated and controlled and the powers of the Rent Review and Grievance Board heretofore established and presently existing are modified, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of this Town; and to adopt the following amendment to Article XXV of the By-Laws of the Town to add the following provisions:

1. There shall be added a new Section 1A reading as follows: "Section 1A: Declaration of Emergency

"The Town of Brookline, acting by and through its Town Meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of citizens of the Town due to a substantial shortage of rental housing accommodations; that, unless residential rents are regulated and controlled and the powers of the Rent Review and Grievance Board heretofore established and presently existing are modified, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of the Town."

2. There shall be added to Section 2 the following subparagraphs:

"(j) Controlled Housing Accommodations. 'Controlled housing accommodations' means all housing accommodations except the following:

"(1) Any boarding or lodging house, club-house, fraternity house or hotel as defined in Article II of the Zoning By-Law.

"(2) Any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes on a non-profit basis.

"(3) Any housing accommodations owned and operated by the United States or the Commonwealth of Massachusetts or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority, or the Town of Brookline.

"(4) Any housing accommodations contained in a single building or structure that is occupied for living or dwelling purposes by no more than two families (as 'family' is defined in Article II of the Zoning By-Law) provided that one or more members of said families is the owner of the building or structure.

"(5) Any housing accommodations that were never occupied by a tenant prior to the effective date of this subparagraph 2(j) (5).

"(k) Maximum Rent.

"(1) 'Maximum rent' for any controlled housing accommodations that were occupied by a tenant on January 1, 1970 means the rent charged therefor on said date.

"(2) 'Maximum rent' for any controlled housing accommodations that were not occupied by a tenant on January 1, 1970 but were occupied by a tenant on some date prior or subsequent thereto, means the rent charged in the period preceding January 1, 1970 during which the housing accommodations were last occupied by a tenant, or, if the housing accommodations were not occupied prior to January 1, 1970, the rent charged by the landlord in the period subsequent to January 1, 1970, during which the housing accommodations were first occupied by a tenant.

"(l) Minimum Services.

"(1) 'Minimum services' for any controlled housing accommodations that were occupied by a tenant on January 1, 1970 means all of the services provided by the landlord to the tenant on said date.

"(2) 'Minimum services' for any controlled housing accommodations that were not occupied by a tenant on January 1, 1970 but were occupied by a tenant on some date prior or subsequent thereto, means all of the services pro-



vided by the landlord to the tenant in the period preceding January 1, 1970 during which the housing accommodations were last occupied by a tenant, or, if the housing accommodations were not occupied by a tenant prior to January 1, 1970, all of the services provided by the landlord to the tenant in the period subsequent to January 1, 1970 during which the housing accommodations were first occupied by a tenant."

3. There shall be added to Section 3 subparagraphs (g) and (h) which read as follows:

"(g) The Board shall have the power to adopt, issue, alter and repeal rules, regulations and orders, to investigate alleged or reported violations of this Article, as amended, or of its rules, regulations and orders and to take any other action which it deems necessary or desirable to the administration and enforcement of this Article, as amended, its rules, regulations and orders, and which it is not prohibited by law from taking.

"(h) The Board shall have the power to enforce this Article, as amended, or any rule, regulation or order hereunder, including the power to institute and defend actions and suits and to intervene in any suit or action wherein the party relies for grounds of relief upon this Article, as amended, or any rule, regulation or order hereunder, in any manner not prohibited by law and may take any of such actions in the name of the Town."

4. There shall be a new Section 4A which shall read as follows: "Section 4A: Registration

"Within 60 days after the date this Section 4A becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of controlled housing accommodations rented or offered for rent shall file in triplicate a verified written statement on the form provided therefor (or a form reasonably acceptable to the Board) to be known as a registration statement. The statement shall identify each dwelling unit, and specify the minimum services and the maximum rent for such dwelling unit and shall contain such other information as the Board shall require. The original shall remain on file with the Board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof, on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor (or a form reasonably acceptable to the Board), on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such accommodations is in conformity therewith.

"Whenever the maximum rent or minimum services are changed by order of the Board, the landlord shall deliver his stamped copy of the registration statement to the Board office for appropriate action reflecting such change."

5. There shall be added a new Section 5A which reads as follows: "Section 5A: Adjustment of Maximum Rent or Minimum Services

"(a) Any landlord or tenant of any controlled housing accommodations may file a verified written petition with the Board for an increase, decrease or other adjustment in the maximum rent or minimum services of such housing accommodations. It shall allege that an adjustment of the maximum rent or minimum services is necessary to remove hardships, correct other inequities or otherwise

effectuate the purposes and provisions of this Article, as amended, and shall specify the facts constituting said hardships, inequities or other problems stated therein and shall contain such other information as may be required by the Board.

“(b) Upon the receipt of such a petition, or upon its own initiative, the Board’s staff shall undertake promptly an investigation in connection therewith. The Board Chairman may appoint a Board member to supervise the investigation. The investigation may include discussions with the tenant or tenants, with the landlord, and with any other person having information and knowledge relevant to the circumstances of the case. The staff and/or the Board member so designated shall file a written report setting forth their conclusions and their reasons therefor to the Board. The Board shall schedule the case for hearing as soon as practicable and shall give written notice of the time, date, place and purpose of such hearing to the landlord and tenant or tenants of the controlled housing accommodations which constitute the subject matter of the case, to the Board of Selectmen and by publication in a newspaper of general circulation in the Town, not less than 14 days prior to the date of such hearing. Any petition or reports of the staff and/or Board member concerning the case shall be available at the Board offices to all interested persons at least 3 days prior to the date of such hearing.

“(c) At any hearing conducted by the Board, all interested persons shall be given a reasonable opportunity to be heard and shall have the right to be represented by counsel. The Board shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath or affirmation.

“(d) After conducting such hearing and considering all relevant evidence, the Board shall issue an order regarding the adjustment to be made, if any, of the maximum rent and the minimum services of the housing accommodations that were the subject of the hearing. The Board shall make no adjustments of the maximum rent or minimum services of any controlled housing accommodations unless and until it conducts a hearing as provided herein. The Board shall not increase the maximum rent of any controlled housing accommodations unless and until the landlord thereof certifies in writing and under oath to the Board that he is providing the minimum services therefor and will continue to provide said minimum services until such time as they may be adjusted by the Board, and submits certificates of compliance from appropriate Town agencies certifying that such housing accommodations are in compliance with applicable health, safety, building and zoning laws, regulations and by-laws.

“(e) In deciding whether an adjustment of the maximum rent or minimum services of any housing accommodations is necessary to remove hardships, correct other inequities or further effectuate the purposes and provisions of this Article, as amended, the Board shall give due weight to the principle of establishing and maintaining rents for controlled housing accommodations at levels which will yield to landlords a fair return from such housing accommodations; and shall give due consideration to the following, among other relevant factors:

“(1) increases or decreases in property taxes;

“(2) unavoidable increases in operating and maintenance expenses;

“(3) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement and maintenance;

“(4) increases or decreases in living space, furniture, furnishings or equipment;

“(5) substantial deterioration of the housing accommodations, other than ordinary wear and tear;

“(6) failure to perform ordinary repair, replacement or maintenance;

“(7) the experiences of rent control boards in New York City and other communities that presently have or have had a system of rent control; and

“(8) the suggestions of economists, bankers, real estate boards, and similar persons with a knowledge of the financing and management of real estate.

“(f) The Board shall at least once annually review any increase in the real property tax rate of the Town and any increase in an appropriate price or cost index published by an agency of the United States. If the Board finds that there have been increases in such rate or index, it may issue an order or ruling authorizing every landlord of controlled housing accommodations to increase rents on such accommodations by a percentage which fairly reflects the increase in such rate or index. Upon the issuance by the Board of such an order or ruling, maximum rents may be increased by a percentage not exceeding such percentage without the filing and approval of the petition otherwise required under the preceding subsections of this Section.”

6. There shall be a new Section 6A which reads as follows:

“Section 6A: Prohibitions and Penalties

“(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

“(1) To demand, accept or receive any rent for use or occupancy of any controlled housing accommodations in excess of the maximum rent; to fail or neglect to furnish the minimum services in any controlled housing accommodations; or otherwise to do or omit to do any act, in violation of this Article, as amended, or any rule, regulation, or order hereunder or to offer, solicit, attempt or agree to do any of the foregoing.

“(2) To deprive or attempt to deprive, by coercion, fraud or duress, any person of the benefits of this Article, as amended, or any rule, regulation or order hereunder.

“(3) To evade any provision of this Article, as amended, or any rule, regulation or order hereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations, by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modifications of the services furnished with housing accommodations, or by tying agreement, or otherwise.

“(4) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or agreement for the use of such accommodations, because such tenant or occupant has taken, or proposes to take, action authorized or required by this Article, as amended, or any rule, regulation or order hereunder.

“(b) Any agreement by a tenant to waive the benefit of any provision of this Article, as amended, or any rule, regulation or order hereunder, shall be void.

“(c) Any agent, broker or other authorized representative who violates



any provision of this Article, as amended, or any rule, regulation or order hereunder, shall be presumed to be acting within the scope of his authority or with the subsequent ratification of his principal.

“(d) Any person who commits an unlawful act described in subparagraph (a) of this Section 6A, or any person who shall willfully resist, prevent, impede or interfere with the Board or any of its members or representatives in the performance of duty under this Article, as amended, or any rule, regulation or order hereunder, shall be punished for each offense by a fine of not more than Fifty dollars (\$50), as determined by the Board.”

7. There shall be added a new Section 10 to read as follows:

“Section 10: Miscellaneous

“(a) Nothing in this Article shall be construed to require any person to offer any housing accommodations for rent.

“(b) Nothing in this Article shall be interpreted or construed to authorize the prohibition, in the case of any rental agreement hereafter entered into, of the demand or collection of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance.”

8. There shall be added a new Section 11 to read as follows:

“Section 11: Suspension of Certain Sections

“Upon the effective date of Sections 4A, 5A and 6A, the application of paragraphs (b) and (c) of Section 3 and Sections 4, 5 and 6 of this Article, shall be suspended; and the Board shall have and exercise all the powers set forth in and pursuant to this Article, as amended, except for such provisions the application of which is hereby suspended. If at any time thereafter, the Board is prevented by preliminary or permanent injunction issued after a contested hearing by any court having jurisdiction from applying the provisions of Section 4A, 5A and 6A generally to controlled housing accommodations in the Town or if any of Sections 4A, 5A or 6A hereof is declared invalid after trial in the Superior Court or the Supreme Judicial Court of the Commonwealth of Massachusetts, the Board may vote to suspend the application of Sections 4A, 5A and 6A and the prior suspension of the applications of Sections 4, 5 and 6 and paragraphs (b) and (c) of Section 3 shall thereupon terminate and the Board shall have and exercise all of the powers set forth in and pursuant to Article XXV, as amended, except for such Sections 4A, 5A and 6A.”

and to raise and appropriate the sum of \$70,000 to be added to the appropriation of \$32,865 heretofore made by this Town Meeting for the Rent Review and Grievance Board, all for the purpose of enforcing Article XXV, as amended, of the By-Laws of the Town, or will take any other action with respect thereto.

A motion by Sumner Z. Kaplan, amended by Anne N. Baybutt, for the adoption of this article was defeated. The vote was taken by count, seventy-six (76) voted in the affirmative and ninety-two (92) voted in the negative.

FOURTEENTH ARTICLE. To see if the Town will accept the bequest of five thousand dollars (\$5,000) to the Brookline School Committee, under the will of the late Dr. Thomas P. Kendrick, to be known as "THE KENDRICK MEMORIAL," on the terms set forth therein to wit: — the income to be used for scholarships to members of the graduating class of Brookline High School who best combine excellence in scholarship with excellence in athletic achievement.

On motion of Joseph Robinson, seconded by John F. Kendrick, it was unanimously:

Voted: To accept the bequest of five thousand dollars (\$5,000) to the Brookline School Committee, under the will of the late Dr. Thomas P. Kendrick, to be known as "THE KENDRICK MEMORIAL," on the terms set forth therein to wit: the income to be used for scholarships to members of the graduating class of Brookline High School who best combine excellence in scholarship with excellence in athletic achievement.

FIFTEENTH ARTICLE. To hear and act upon the reports of Town Officers and Committees.

On motion of Sumner Z. Kaplan, it was:

Voted: To accept the Report of the Moderator's Committee to Study Article 39, of the 1970 Annual Town Meeting, on Sidewalk Snow Plowing, with favor.

At fifteen minutes after twelve o'clock on motion it was:

Voted: That this Special Town Meeting be dissolved.

At the close of the meeting the checkers reported the names of two hundred twenty-six (226) Town Meeting Members had been checked as present at this meeting.

Dissolved:

THOMAS F. LARKIN  
*Town Clerk*

# WARRANT FOR STATE PRIMARY

## THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings:*

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the Primaries, to meet in the polling places designated for the several precincts in said Town on Tuesday, the Fifteenth Day of September, 1970 at seven o'clock in the forenoon, for the following purposes:

To bring in their votes for the Primary Officers for the Nomination of Candidates of Political Parties for the following offices:

Senator in Congress for this Commonwealth  
 Governor for this Commonwealth  
 Lieutenant Governor for this Commonwealth  
 Attorney General for this Commonwealth  
 Secretary of the Commonwealth for this Commonwealth  
 Treasurer and Receiver-General for this Commonwealth  
 Auditor of the Commonwealth for this Commonwealth  
 Representative in Congress for Eighth Congressional District  
 Councillor for Third Councillor District  
 Senator for Norfolk and Suffolk Senatorial District  
 Three Representatives in General Court for the Thirteenth  
     Norfolk Representative District  
 District Attorney for Norfolk County  
 Clerk of Courts for Norfolk County  
 Register of Deeds for Norfolk County  
 County Commissioner (1) for Norfolk County  
 The Polls will be open from 7:00 a.m. to 8:00 p.m.

Hereof fail not and make due return of this Warrant with your doings thereon, to the Selectmen, seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this tenth day of August in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.  
 SUMNER Z. KAPLAN  
 ROBERT C. COCHRANE, JR.  
 ELEANOR MYERSON  
 HERBERT ABRAMS



Norfolk, ss. Brookline, August 26, 1970

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline as within described, by posting true copies of this Warrant in twenty public places. I also had a true copy of this Warrant published in the Brookline Chronicle-Citizen, issue of August 20, 1970. All of which was done at least seven days before said meeting.

CHARLES L. HAPGOOD  
Constable

In pursuance of the foregoing Warrant the inhabitants of the Town of Brookline qualified to vote in elections met at the polling places designated for the several precincts in said Brookline on Tuesday, the Fifteenth Day of September, 1970 at seven o'clock in the forenoon.

Upon receipt of the returns from the several precincts, they were tabulated and the total results of the ballots announced as follows:

STATE PRIMARY, SEPTEMBER 15, 1970  
REPUBLICAN PARTY

[illegible]

STATE PRIMARY, SEPTEMBER 15, 1970  
DEMOCRATIC PARTY

PRECINCT	(Write titles) SENATOR		GOVERNOR		LIEUTENANT GOVERNOR		ATTY. GEN.	SEC.	TREAS.	AUD.	CONG.	COUNCILLOR		SENATOR		REPRESENTATIVES										DIST. ATTY.	CLERK COURT	REG. DEEDS	COUNTY COMM.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
	Kennedy	Blanks	Donahue	Bellotti	O'Donnell	White	Blanks	Dukakis	Antonelli	Craven	Daocy	McCormack	Blanks	Quinn	Blanks	Davoren	Blanks	Crane	Blanks	Buczo	Blanks	O'Neill	Blanks	Cronin	Kilroy	Sullivan	West	Blanks	Cohen	Backman	McCormack	Power	Blanks	Berliner	Brussel	Businger	Comen	Goldenberg	Hannon	Hennessey	Rees	Rosenblith	Rotenberg	Saltis	Sagel	Blanks	Burke	Blanks	Concannon	Blanks	Hannon	Blanks	McManus	Blanks																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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All materials properly sealed, total tally sheets and all other records pertaining to the Primary have been preserved by the Town Clerk during the time required by law.

The voting machines used in the precincts were properly sealed and preserved during the legal period.

Attest:

THOMAS F. LARKIN  
*Town Clerk*

September 16, 1970

Brookline, Massachusetts

The Town Clerk this day filled out and certified to the votes cast at the State Primaries held in Brookline, September 15, 1970, using therefore the blank forms supplied by the Secretary of the Commonwealth and filed the same at the Office of the Secretary of the Commonwealth, State House, Boston, Massachusetts.

Attest:

THOMAS F. LARKIN  
*Town Clerk*

# BROOKLINE TOWN RECORDS

## WARRANT

### THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings:*

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the Inhabitants of the Town of Brookline qualified to vote at elections to meet at the High School Auditorium in said town on Tuesday, the Twenty-Ninth day of September, 1970 at seven-thirty o'clock in the evening for the following purposes, to wit:

FIRST ARTICLE. To see if the Town will accept the provisions of Chapter 842 of the Acts of 1970 entitled "An Act Enabling Certain Cities and Towns to Control Rents and Evictions" and will determine whether the said Act will be administered by a rent control administrator or a rent control board, and, if by a rent control board, to determine how said board shall be constituted, or will take any other action with respect thereto.

SECOND ARTICLE. To see if the Town will find and declare that a serious public emergency exists in the town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two-family and three-family houses; that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes; and will, pursuant to the authority contained in St. 1970 c. 843 adopt the following by-law; or will take any other action with respect thereto:

ARTICLE XXX  
RENT AND EVICTION CONTROL OF OWNER-OCCUPIED  
TWO-FAMILY AND THREE-FAMILY HOUSES

**Section 1. Declaration of Emergency.** The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two-family and three-family houses, that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes.

**Section 2. Definitions.** The following words or phrases as used in this article shall have the following meanings:

(a) "**Rental units**," any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boardinghouse units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "**Controlled Rental Units**", all rental units in owner-occupied two-family and three-family houses except:

(1) rental units in tourist homes and rooming and boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January 1, 1969, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a governmental unit, agency or authority either:

(i) owns or operates; or

(ii) regulates the rents other than units regulated under the provisions of this article; or

(iii) finances or subsidizes, if the imposition of rent control thereon would result in cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum; public institution or college or school dormitory operated exclusively for charitable or educational purposes; a nursing home or rest home or charitable home for the aged, not organized or operated for profit.

(c) "**Rent**", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.



(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant" includes a subtenant, lessee, sublessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

Section 3. *Rent Control Board.* (a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to St. 1970 Chapter 842, the Selectmen may appoint the rent control board established under said Chapter 842 as the Rent Control Board under this article of the by-laws.

(b) Members of rent boards shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this article, and shall hire, with the approval of the Selectmen such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this article.

(d) The board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this article, or in administering and enforcing this article and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this article.

#### Section 4. *Registration.*

Within 30 days after the date this article becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of a controlled rental unit rented or offered for rent shall file in triplicate a written statement on the form provided therefor by the rent control board to be known as a registration

statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the rent board shall require. The original shall remain on file with the rent board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such rental unit is in conformity therewith.

When the maximum rent is changed by order of the rent board, the landlord shall deliver his stamped copy of the registration statement to the rent board office for appropriate action reflecting such change.

The registration statement shall be signed by the landlord under penalties of perjury.

#### Section 5. *Maximum Rent.*

The maximum rent of a controlled rental unit shall be the rent charged the occupant for or during the month of March, 1970. If the rental unit was unoccupied at that time but was occupied at any time prior to the effective date of this article, the maximum rent shall be the rent charged therefor for or during the month closest to March, 1970. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six.

#### Section 6. *Adjustment of Maximum Rents.*

(a) In regulating rents, the rent board established under section three may, by order or regulation, make such individual or general adjustment, either upward or downward, as may be necessary to assure that rents for controlled rental units in the town are established at levels which yield to landlords a fair net operating income for such units. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rate of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it deems more appropriate to the circumstances of the case. Consistent with the foregoing, the board may by order or regulation adjust maximum rents of controlled rental units to remove hardships or correct inequities.

(b) The rent board by regulation may establish further standards and rules consistent with the foregoing. The board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(c) The board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the

provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(d) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(e) The board may remove maximum rental levels, established under this section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of section seven.

#### Section 7. *Incorporation of Administrative Procedure Act.*

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section three, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

Section 8. *Evictions.* (a) No person shall bring any action to recover possession of a controlled rental unit unless

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this article has taken effect, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this article;
- (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;
- (7) the person holding at the end of a lease term is a subtenant not approved by the landlord;
- (8) the landlord seeks to recover possession in good faith for use and occu-



pancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law or daughter-in-law;

(9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and

(10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this article.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a controlled rental unit without obtaining such certificate of eviction shall be deemed to have violated this article, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

#### Section 9. *Conference of Jurisdiction.*

(a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to the provisions of section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of St. 1970 Chapter 843, and this article, and may restrain by injunction violations thereof.

Section 10. *Defense to Summary Process for Possession.* The rent board may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable as herein provided.

#### Section 11. *Civil Remedies.*

(a) Any person who demands, accepts, receives or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this article or any regulation or order hereunder promulgated, shall be liable as herein-after provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this article or any rule or regulation

hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action. Settlement by the board shall thereafter bar any other person from bringing action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorneys fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

#### Section 12. *Criminal Penalties.*

(a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use or occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this article or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this article or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) Whoever willfully violates any provision of this article or any rule or regulation hereunder promulgated or whoever knowingly supplies the rent board with any false information shall be punished by a fine of not more than one thousand dollars.

Section 13. *Termination.* This article and all powers delegated herein shall terminate on April the first, nineteen hundred and seventy-five: provided that the provisions of this article shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any right, liability or offense arising under the provisions of this article.

Section 14. *Severability.* If any provisions of this article or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this article and the applicability of such provision to other persons or circumstances shall not be affected thereby.

**THIRD ARTICLE.** To see if the Town will enact the By-Law, which is affixed hereto, regulating certain rental housing accommodations within the Town and the rents therefor, or will take any other action with respect thereto.

## RENT REGULATION BY-LAW

Section 1. *Declaration of Emergency.*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens of Brookline, which emergency has been created by housing demolition, an expanding student population, a substantial existing elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased cost of construction and finance, inflation and the effects of the Vietnam conflict, which has resulted in a substantial and increasing shortage of rental housing accommodations and abnormally high rents and that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes.

Section 2. *Definitions.*

(a) Housing Accommodation: Any existing building or structure, permanent or temporary, rented or offered for rent located within the Town or any part or portion thereof, occupied or intended for occupancy by one or more individuals as as residence, but not including the following:

- (i) Rental units in hotels, motels, inns and tourist homes;
- (ii) Housing accommodations created by new construction or by conversion from a non-housing use after the effective date hereof;
- (iii) Rental units which a government unit, agency or authority either: owns or operates; or regulates or partially regulates the rents thereof; or finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;
- (iv) Rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit.

(b) Rent. The consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations together with any separate assessments to the tenant for tax, parking and other charges.

Section 3. *Creation, Duties and Powers of Rent Board*

(a) There is hereby created a Rent Board consisting of five members who shall be appointed by the Board of Selectmen and who may be removed by the Board of Selectmen when in its judgment the public interest so requires. Three of said members shall be representatives of the public interest; one member shall be representative of landlords and the remaining member shall be representative of tenants. No person holding a public office in the Town other than a town meeting member and no salaried employee of the Town shall be eligible for appointment. The members shall elect one of the three representatives of the public interest to serve as Chairman of the Rent Board.

(b) The members of the Rent Board shall receive no compensation for their services, but shall be reimbursed by the Town for necessary expenses incurred in the performance of their duties. The Rent Board may employ and fix the salaries of such assistants and clerical aid as it deems necessary, with the approval of the Board of Selectmen. Such assistants and clerical aid may be removed at the pleasure of the Rent Board subject to the provisions of law thereto pertaining.



(c) The Rent Board shall have the power to investigate apparent or reported violations of this By-Law, make studies, conduct hearings, adopt, alter and repeal rules and regulations, issue orders, specify requirements, and take any other action which it deems necessary or desirable to the administration and enforcement of this By-Law or regulation, order or requirement thereunder in which it is not prohibited by law from taking. For such purposes the Rent Board may require any person who rents or offers for rent or answers a broker or an agent for the rental of any housing accommodations to furnish any information required by it under oath, to make reports and to produce records and other documents.

(d) The Rent Board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this By-Law or any regulation order or requirement thereunder.

(e) The Rent Board shall have the power to enforce this By-Law or any regulation, order or requirement thereunder in any manner not prohibited by law, including legal and equitable actions in any court of the Commonwealth.

(f) The Police Department, Building Department, Health Department and Assessors for the Town of Brookline shall assist the Rent Board in implementing and enforcing the provisions of this By-Law.

(g) Three members shall constitute a quorum.

#### Section 4. *Registration*

(a) The Board may annually require registration of all housing accommodations in the Town upon a form and schedules supplied by the Board. The Board may by registration inquire into the financing and income of rental housing accommodations as well as into the rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

(b) False information by either landlord or tenant or both shall be punishable by a fine not exceeding \$1000, as well as by the penalties of perjury.

(c) The Board may at any time require verification of information submitted and may compel the attendance of persons and the production of papers and information in such verification.

(d) Registration statements received under this Section shall be for the use of the Board and not to be placed on file for the information of the public. However, such records can be inspected and copies furnished after written request approved by the Selectmen.

#### Section 5. *Decontrolled Housing*

Housing accommodations for which the rent does not exceed the rent charged on January 1, 1969 plus 13.5% shall, upon filing by the landlords of Registration Statements with the Rent Board, be classified as decontrolled. Registration Statements shall thereafter be filed annually by said landlords and said housing accommodations shall be subject to recontrol if at any time the rent exceeds the rent level or percentage rate as provided in this section or as provided in amendments thereto.

#### Section 6. *Percentage Rate*

The Rent Board, after public hearing, shall recommend annually to the Town Meeting, any change in the percentage rate of rent to be charged for housing accommodations. The Town Meeting shall adopt the recommendations of the Rent Board unless by a two thirds vote it deems otherwise.

### Section 7. *Rent Freeze For Controlled Housing Accommodations*

Any landlord of a housing accommodations for which the rents charged exceed the amounts perscribed in section 5 of this By-Law, shall elect, on or before November 1, 1970, either: (a) to adjust his rents to conform to the level and percentage rate provided in section 5 of this By-Law, or (b) to adjust his rents so that he is receiving a fair net operating income as that term is defined in the enabling legislation. At the time of registration any such landlord must file a petition for adjustment of rent if the Board finds that the landlord's proposed rent schedule exceeds those rental levels which would grant to him a fair net operating income, the landlord shall rebate to the tenant the amount of such excess from November 1, 1970 to the date of the decision of the Board. Such rebate may be in the form of a lump sum payment or a discounted rate for as many months as the excess amount was paid.

### Section 8. *Adjustments*

(a) Any landlord who, after increasing his rent by the current percent of increase over the rent level as of January 1, 1969 feels his rent schedule does not yield to him a fair net operating income, as defined in the enabling legislation, may file a petition for a rent adjustment.

(b) Adjustments shall be made in the order that petitions are received. However, the Board may advance the date of any adjustment for good cause shown.

(c) Petitions for adjustment shall include a certification of compliance with the minimum standards of fitness for human habitation of the State Sanitary Code.

(d) Relevant schedules must be submitted with the petition for adjustment. The Board shall require refileing if the schedules submitted are illegible, incomprehensible, incomplete or misleading.

(e) The Board may at any time require verification of information submitted, and may compel the attendance of persons and the production of papers and information in such verification.

### Section 9. *Eviction*

(a) Any tenant in controlled housing who has received an eviction notice may petition the Rent Board on a form provided therefor for an order prohibiting the eviction. The tenant shall certify under penalties of perjury that (1) his rent is paid up to date, (2) he has not continued to violate an obligation or covenant of his tenancy, other than the obligation to surrender possession, after having received written notice thereof from his landlord, (3) he is not committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation, (4) he has not been convicted of using or permitting a controlled rental unit to be used for any illegal purpose, and that all occupancy and parking related to the unit is in accordance with the Brookline Zoning By-Law, (5) he will renew his lease if he previously had one, (6) he has not refused the landlord reasonable access to the unit to inspect the premises, to make repairs or improvements or to show the same to a prospective tenant, purchaser or mortgagee.

(b) If the Board finds that the petition is valid and there is no compelling necessity for the eviction, it shall issue an order prohibiting the eviction.

(c) Any member of the Board shall have the power to issue a temporary order prohibiting the eviction pending a hearing of the Board.

(d) A landlord who proceeds in any eviction after receipt of an order prohibiting it shall be punishable by a fine of not more than one thousand dollars for any one offense.

(e) The staff of the Rent Board may represent any tenant who by reason of age or infirmity is not able to file the necessary papers or attend a hearing before the Board.

(f) The staff of the Rent Board may represent any tenant relying upon an order of the Board for a defense in an action of summary process.

(g) Any tenant who has received an eviction notice may petition the Rent Board on a form provided therefor and the Board shall have jurisdiction to issue an order prohibiting retaliatory eviction.

#### Section 10. *Proceedings*

The Board shall regulate its proceedings and actions under this By-Law pursuant to the provisions of the State Administrative Procedure Act. (MGL C. 30A)

#### Section 11. *Severability*

If any provision of this By-Law or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this By-Law and the applicability of such provision to other persons or circumstances shall not be affected thereby.

#### Section 12. *Termination*

This By-Law shall terminate on October 1, 1973.

### FOURTH ARTICLE. Article XXV. Unfair and Unreasonable Rental Practices in Housing Accommodations.

#### Section 1: *Declaration of Emergency (All New Section)*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists in the town of Brookline with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes.

#### Section 2: *Definitions.*

(a) *Person*. "Person" includes an individual, corporation, partnership, association or any organized group of persons, a legal successor or representative of the foregoing.

(b) *Landlord*. "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(c) *Tenant*. "Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession, use or occupancy of any housing accommodations.

(d) *Rent*. "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

(e) *Services*. "Services" includes repairs, decorating and maintenance, the



furnishing of light, heat, hot and cold water, elevator service, storage and laundry facilities or privileges, janitor service, removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(f) *Housing Accommodations.* "Housing accommodations" means any building, structure, or part thereof, or land appurtenant thereto, or any other property rented or offered for rent for living or dwelling purposes, together with any services, furnishings and furniture connected with the use or occupancy of such property.

(g) *Unfair and Unreasonable Rental Practice.* An unfair and unreasonable rental practice shall exist whenever a landlord demands, accepts, or receives any rent for the use or occupancy of any housing accommodations within the town that is excessive under the circumstances. The circumstances to be considered in deciding if a rent is excessive include, but are not limited to, the quality of the housing accommodations, the costs, including taxes, actually incurred by the landlord in maintaining and improving the housing accommodations, the yielding of a fair net operating income to the landlord, and the rents prevailing in the town for comparable housing accommodations in comparable locations. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rate of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

An unfair and unreasonable rental practice shall also exist whenever a landlord attempts to evict a tenant without one of the following as ground therefor:

(1) the tenant has failed to pay the rent to which the landlord is entitled;

(2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;

(3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same of any adjacent accommodation;

(4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;

(5) the tenant, who had a written lease or rental agreement which terminated on or after this act has taken effect in a city or town, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are noninconsistent with or violative of any provisions of this act;

(6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

(7) the person holding at the end of a lease term is a subtenant not approved by the landlord;

(8) the landlord seeks to recover possession in good faith for use and

occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and

(10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this act.

(h) Board. "Board" means the rent review and grievance board established pursuant to this article.

### Section 3. *Creation, Powers and Duties of the Board.*

(a) There is hereby created a Rent Review and Grievance Board of five members to be appointed by the Board of Selectmen. Three of said members shall be representatives of the public interest, one member shall be representative of landlords, and one member shall be representative of tenants. The members shall elect one of the three representatives of the public interest to serve as chairman of the Board. The appointments shall be for such terms as the Selectmen shall determine. A member may be removed by the Selectmen when in their judgment the public interest so requires. Vacancies shall be filled by appointment of the Selectmen. Members of the Rent Review and Grievance Board shall receive no compensation for their services as such but shall be reimbursed by the town for necessary expenses in the performance of their duties. The Board may, within the limits of the amounts appropriated therefor, employ and fix the compensation of such assistants and clerical aid as it deems necessary with the approval of the Board of Selectmen, and it may remove them, and may make such expenditures as may be necessary effectively to execute its purpose.

(b) The Board shall have the power and duty to receive, investigate and pass upon complaints of unfair and unreasonable rental practices as herein defined. It shall have the power to conduct hearings, issue orders as provided for herein and take any other action which it deems necessary or desirable to the administration and enforcement of this by-law or any order thereunder, which it is not prohibited by law from taking.

(c) The Board may review any proposed rent increase submitted to it by a landlord which affects any housing accommodations in the town, and may advise the landlord as to whether or not it considers such increase fair and reasonable. Such an advisory opinion by the Board shall not, however, preclude a tenant who feels himself aggrieved by the rent increase from filing a complaint with the Board pursuant to section 4.

(d) The Board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this by-law or any order made pursuant to it.

(e) The Board shall have the power to make studies, conduct hearings, and issue findings and recommendations on matters relating to rent levels for housing accommodations in the Town.

(f) The Board may annually require registration of all rental housing accommodations in the Town upon a form and schedules supplied by the Board. The Board may by registration inquire into the financing and income of rental housing accommodations as well as into the rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

False information by either landlord or tenant or both shall be punishable by a fine not exceeding \$1000, as well as by the penalties for perjury.

The Board may at any time require verification of information submitted, and may compel the attendance of persons and the production of papers and information in such verification.

Registration statements received under this Section shall be for the use of the Board and not to be placed on file for the information of the public. However, such records can be inspected and copies furnished after written request approved by the Selectmen.

#### **Section 4. *Proceedings in Case of an Alleged Unfair and Unreasonable Rental Practice***

(a) Any tenant claiming to be aggrieved by an alleged unfair and unreasonable rental practice may make, sign, and file with the Board a complaint in writing which shall state the name and address of the landlord alleged to have committed such practice and which shall set forth the particulars thereof and shall contain such other information as may be required by the Board. The Board, whenever it has reason to believe that any landlord has been or is engaging in such a practice, may issue a complaint on its own motion. Any complaint filed pursuant to this section must be so filed within six months after the alleged unfair and unreasonable rental practice occurred.

(b) After the filing of the complaint, the Board's staff shall undertake promptly an investigation in connection therewith. The Board chairman may appoint a Board member to supervise the investigation. The investigation may include discussions with the tenant, with the landlord, and with any other person, having information or knowledge relevant to the circumstances of the case. If the staff and/or the Board member so designated shall decide either that the allegations of the complaint are not credible or that there appears to be insufficient basis for concluding that the rental practice complained of is unfair and unreasonable or that the parties have conciliated their differences, a written report stating such conclusion and the reasons underlying it shall be presented to the full Board. The Board shall then decide whether to affirm the conclusion of the report and dismiss the complaint or to reject the conclusion of the report and to schedule the case for hearing. If the staff and/or the Board member so designated shall decide that a hearing should be held, a written report stating such conclusion and the reasons underlying it shall be presented to the full Board which shall schedule the case for hearing.

(c) When a case is scheduled for hearing before the full Board, the Board shall serve notice of the time and place of the hearing upon the tenant and the landlord at least seven days in advance of the hearing date and, in the case of the landlord, the notice shall include a copy of the complaint. The landlord may file a written answer to the complaint at any time prior to the beginning of the hearing. Both tenant and landlord may present their own cases at the hearing or may be represented by counsel. The Board shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath or affirmation.

(d) If, upon all of the evidence at the hearing, the Board shall find that a landlord has engaged in an unfair and unreasonable rental practice, the Board shall state its findings and conclusions and shall issue and serve upon the landlord an order requiring him to cease and desist from such unfair and unreasonable rental practice and or containing such other provisions as the Board may deem appropriate. The order may require that the landlord not demand, accept, or receive any rent for the use or occupancy of specified housing accommodations in excess of an amount which the Board shall determine to be fair and reasonable under the circumstances; and may specify what housing conditions shall be corrected or remedied, and what services shall be furnished to the tenant at the rental so determined, when an



eviction may take place and may set terms for continued occupancy by a tenant not otherwise inconsistent with the provisions of this by-law. The Board's order shall not require the landlord to demand, accept, or receive rent for specified housing accommodations that is less than the rent demanded, accepted, or received for such housing accommodations on January 1, 1969.

Such order may be issued to operate prospectively for a period not exceeding one year and shall be binding on all successor landlords of the housing accommodations affected who have notice thereof. The landlord shall provide his successor landlord of the housing accommodations with written notice of the Board's order at or prior to the time his interest in the housing accommodations is transferred.

(e) If, upon all of the evidence at the hearing, the Board shall find that the landlord has not engaged in an unfair and unreasonable rental practice, the Board shall state its findings and conclusions and shall issue and cause to be served on the parties an order dismissing the complaint.

(f) The Board shall regulate its proceedings and actions taken pursuant to the provisions of APA.

(g) Any order issued by the Board may be modified, amended, or rescinded by the Board upon written request of either party affected by the order, after due notice is served upon the other party and an opportunity for a hearing is provided; or upon motion of the Board after due notice is served upon all parties and an opportunity for a hearing is provided.

(h) Service of a notice or an order under this section is sufficient if made in hand to the person being served or if mailed, postage prepaid, by certified or registered mail, return receipt requested, to the tenant or landlord at his last known address.

(i) The Board may on a form provide therefore inquire into the financing and income of rental housing accommodations as well as into the rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

False information by either landlord or tenant or both shall be punishable by a fine not exceeding \$1000, as well as by the penalties of perjury.

The Board may at any time require verification of information submitted, and may compel the attendance of persons and the production of papers and information in such verification.

(j) Any member of the board shall have the power to issue a temporary order prohibiting an eviction pending a hearing of the board.

#### Section 5. *Exempt Housing Accommodations.*

The provisions of this article shall not apply to hotels, tourist houses, non-housekeeping furnished accommodations, hospitals, convents, monasteries, asylums, public institutions or college or school dormitories, or to any institution operating exclusively for charitable or educational purposes on a non-profit basis; or to housing accommodations owned and operated by the U.S. or the Comm. of Mass. or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority or the Town of Brookline; or to housing accommodations having the maximum rent for each unit thereof controlled in order to comply with the conditions of Federal or State legislation or regulations thereunder; or to luxury accommodations; or to housing accommodations, the construction of which was completed on or after the effective date of this by-law.

#### Section 6. *Prohibitions and Penalty.*

(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

(1) To violate any provision of an order of the Board issued pursuant to Section 4.

(2) To deprive or attempt to deprive, by coercion, fraud, duress or other illegal means, any person of the benefits of this by-law or of any order of the the Board thereunder.

(3) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or the agreement for the use of such accommodations, because such tenant, or occupant has taken, or proposes to take, action authorized by this by-law or any order of the Board thereunder.

(4) In the case of a landlord subject to an order of the Board, to fail to provide written notice to any successor landlord of the Board's order.

(5) To evade any provision of this by-law or any order of the Board thereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(6) To fail to file with the Board, at the time established by the Board, such information as the Board may require pursuant to Section 3 (f).

(b) Any person who commits an unlawful act described in paragraph (a) of this Section 6, or any person who shall wilfully resist, prevent, impede or interfere with the Board or any of its members or representatives in the performance of duty under this article shall be punished for each offense by a fine of not more than one thousand dollars.

(c) The Board may pursue whatever equitable remedies are available to it to require a landlord to comply with an order of the Board to which he is subject and to require a landlord to file with the Board such information as the Board may require pursuant to Section 3 (f), and may take any such action in the name of the town.

(d) Any agreement by a tenant to waive the benefit of any provision of this by-law or any order of the Board thereunder, shall be void.

#### Section 7. *Judicial Review.*

Judicial review shall be in accordance with St. 1970 c.

#### Section 8. *Referral to Other Town Agencies.*

Nothing in this by-law shall be construed to prevent the Board from reporting the case to any one or more of the Assessing Department, the Building Department, the Director of Public Health (Housing Code Section), and the Administrative Assistant to the Executive Secretary — Legal Code Enforcement for such further action as any such department or said Director or Administrative Assistant may deem appropriate.

#### Section 9. *Repeal Procedure.*

The Selectmen shall insert in the warrant for the annual town meeting for 1973 and, unless repealed prior thereto, in the warrant for the annual town meeting in every second year thereafter, an article presenting the question whether this by-law shall be repealed as of the end of June of that year.

#### Section 10. *Invalidity in Part.*

If any provision of this article or the application thereof to any person or

circumstance, shall, for any reason, be held invalid, the remainder of this article or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

FIFTH ARTICLE. To see if the Town will appropriate from available funds the sum of seventy-five hundred dollars (\$7,500) for the purpose of providing for salaries and expenses of the operation of a rent control board established pursuant to Article 1 and/or Article 2, and will transfer the sum of seventy-five hundred dollars (\$7,500) from the unexpended balance of the appropriation for the Rent Review and Grievance Board to the account of the said rent control board to be expended by the rent control board for said purpose, or will take any other action with respect thereto.

SIXTH ARTICLE. To see if the Town will repeal Article XXV of the Town By-Laws, entitled, "Unfair and Unreasonable Rental Practices in Housing Accommodations."

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Selectmen seven days at least before the day of said meeting.

Given under our hands at Brookline aforesaid, this ninth day of September in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.  
SUMNER Z. KAPLAN  
ROBERT C. COCHRANE, JR.  
HERBERT ABRAMS  
ELEANOR MYERSON

*Board of Selectmen*

A true copy, attest:  
JAMES V. ESPOSITO  
Constable



## Officer's Return:

NORFOLK, SS. BROOKLINE, MASS.

SEPTEMBER 19, 1970

By virtue of this Warrant, I this day notified and warned the Inhabitants of the Town of Brookline to meet at the High School Auditorium in said Town at 7:30 p.m., Tuesday, September 29, 1970, by posting true and attested copies of the within Warrant in twenty public places and by causing it to be published in the Brookline Chronicle-Citizen, issue of September 17, 1970, an attested copy of the within Warrant. All of which was done at least seven days before said meeting.

JAMES V. ESPOSITO  
*Constable*

I hereby certify that at least seven days before the time of said meeting, I notified the Town Meeting Members of said meeting by letter on September 8, 1970 and copies of the Warrant and Reports of the Selectmen and Advisory Committee mailed on September 21, 1970, to the last known address of said members.

Attest:  
THOMAS F. LARKIN  
*Town Clerk*

September 8, 1970

To Town Meeting Members:

In accordance with the General Laws, Chapter 43A, Section 5, you are hereby officially notified that the Selectmen have called for a Special Town Meeting to be held on Tuesday, September 29, 1970 at 7:30 p.m. in the Brookline High School Auditorium.

Very truly yours,  
THOMAS F. LARKIN  
*Town Clerk*

## INDEX

## Article

## No.

## Subject

1. Acceptance of Rent Control Statute, Chapter 842 of the Acts of 1970, entitled, "An Act Enabling Certain Cities and Towns to Control Rents and Evictions." .....
2. Rent Control By-Law Relative to Owner-Occupied Two-Family and Three-Family Houses .....
3. Rent Control By-Law with Rent Index and Self-Adjustment (Citizen's Petition) .....
4. Fair Rental Practices in Housing Accommodations (By-Law) (Citizens' Petition) .....
5. Appropriation Providing for Salaries and Expenses of the Operation of a Rent Control Board .....
6. Repeal of Article XXV of the Town By-Laws entitled, "Unfair and Unreasonable Rental Practices in Housing Accommodations." .....

## SPECIAL TOWN MEETING SEPTEMBER 29, 1970

Pursuant to the Warrant of the Selectmen, served according to law upon the inhabitants of the Town of Brookline by a Constable of said Town, and written notices sent by the Town Clerk at least seven days before the day of the meeting to the Town Meeting Members qualified to act in Town Meetings in Brookline under the provisions of Chapter 43A of the General Laws, as amended, accepted by the Town of Brookline, March 10, 1942, the Town Meeting Members, so qualified, met at the High School Auditorium in said Town on Tuesday, the twenty-ninth day of September, 1970 at half past seven in the evening.

Lists of duly qualified Town Meeting Members were used at the entrances to the meeting place and were in charge of Edward Fahey, Robert F. Breen, Edward M. Kelly and Joseph F. Egan, checkers, who were sworn to the faithful performance of their duties by the Town Clerk. The lists contained the names of Two hundred sixty-nine (269) Town Meeting Members qualified to participate in and vote in Town Meetings in Brookline.

No Town Meeting Member was allowed within the rails until his name had been checked on the list.

At forty-five minutes after seven o'clock the checkers reported that one hundred seventy-seven (177) names of Town Meeting Members had been checked, or more than one half of all Town Meeting Members qualified, and the Town Clerk reported a quorum was present.

The meeting was called to order by the Moderator, Justin L. Wyner.

The Moderator appointed six tellers and they were sworn to the faithful performance of their duties by the Town Clerk.

The Moderator requested any members not previously sworn to the faithful performance of their duties by the Town Clerk to stand and be sworn in.

FIRST ARTICLE. To see if the Town will accept the provisions of Chapter 842 of the Acts of 1970 entitled, "An Act Enabling Certain Cities and Towns to Control Rents and Evictions," and will determine whether the said Act will be administered by a rent control administrator or a rent control board, and, if by a rent control board, to determine how said board shall be constituted, or will take any other action with respect thereto.



On motion of Sumner Z. Kaplan, it was:

Voted: To accept the provisions of Chapter 842 of the Acts of 1970, entitled, "An Act Enabling Certain Cities and Towns to Control Rents and Evictions," and that said act shall be administered by a rent control board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, at least two members of which shall be representatives of landlords and two members representatives of tenants. Members of the rent control board shall serve for such terms as the Selectmen shall determine.

The above vote was taken by the Roll Call, one hundred forty (140) voted in the affirmative and ninety-three (93) voted in the negative, was so declared by the Moderator, and is so recorded.

SECOND ARTICLE. To see if the Town will find and declare that a serious public emergency exists in the town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increased shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two-family and three-family houses; that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes; and will, pursuant to the authority contained in St. 1970 c. 843 adopt the following by-law; or will take other action with respect thereto:

#### ARTICLE XXX

##### RENT AND EVICTION CONTROL OF OWNER-OCCUPIED TWO-FAMILY AND THREE-FAMILY HOUSES

###### Section 1. *Declaration of Emergency.*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists in the town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses,

which emergency has been created by housing demolition, and expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two family and three-family houses, that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes.

## Section 2. *Definitions.*

The following words or phrases as used in this article shall have the following meanings:

(a) "*Rental units*", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "*Controlled Rental Units*", all rental units in owner-occupied two-family and three-family houses except:

(1) rental units in tourist homes and rooming and boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January 1, 1969, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a government unit, agency or authority either:

(i) owns or operates; or

(ii) regulates the rent other than units regulated under the provisions of this article; or

(iii) finances or subsidizes, if the imposition of rent control thereon would result in cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum; public institution or college or school dormitory operated exclusively for charitable or educational purposes; a nursing home or rest home or charitable home for the aged, not organized or operated for profit.

(c) "*Rent*", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "*Services*", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant" includes a subtenant, lessee, sublessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

### Section 3. Rent Control Board.

(a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to St. 1970 Chapter 842, the Selectmen may appoint the rent control board established under said Chapter 842 as the Rent Control Board under this article of the by-laws.

(b) Members of rent boards shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this article, and shall hire, with the approval of the Selectmen such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this article.

(d) The Board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this article, or in administering and enforcing this article and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this article.

### Section 4. Registration.

Within 30 days after the date this article becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of a controlled rental unit rented or offered for rent shall file in triplicate a written statement on the form provided therefor by the rent control board to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the rent board shall require. The original shall remain on file with the rent board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall ex-



hibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such rental unit is in conformity therewith.

When the maximum rent is changed by order of the rent board, the landlord shall deliver his stamped copy of the registration statement to the rent board office for appropriate action reflecting such change.

The registration statement shall be signed by the landlord under penalties of perjury.

#### Section 5. *Maximum Rent.*

The maximum rent of a controlled rental unit shall be the rent charged the occupant for or during the month of March, 1970. If the rental unit was unoccupied at that time but was occupied at any time prior to the effective date of this article, the maximum rents shall be the rent charged therefor for or during the month closest to March, 1970. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six.

#### Section 6. *Adjustment of Maximum Rents.*

(a) In regulating rents, the rent board established under section three may, by order or regulation, make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for controlled rental units in the town are established at levels which yield to landlords a fair net operating income for such units. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rate of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it deems more appropriate to the circumstances of the case. Consistent with the foregoing, the board may by order or regulation adjust maximum rents of controlled rental units to remove hardships or correct inequities.

(b) The rent board by regulation may establish further standards and rules consistent with the foregoing. The board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(c) The board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(d) Notwithstanding any other provision of this section, the board may, without hold a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(e) The board may remove maximum rental levels, established under this

section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of section seven.

#### Section 7. *Incorporation of Administrative Procedure Act.*

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section three, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

Section 8. *Evictions.* (a) No person shall bring any action to recover possession of a controlled rental unit unless

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this article has taken effect, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this article;
- (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;
- (7) the person holding at the end of a lease term is a subtenant not approved by the landlord;
- (8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;
- (9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and
- (10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this article.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a control rental unit without obtaining such certificate of eviction shall be deemed to have violated this article, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

Section 9. *Conference of Jurisdiction.* (a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to the provisions of section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of St. 1970 Chapter 843, and this article, and may restrain by injunction violations thereof.

#### Section 10. *Defense to Summary Process for Possession.*

The rent board may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable as herein provided.

Section 11. *Civil Remedies.* (a) Any person who demands, accepts, receives, or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this article or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this article or any rule or regulation hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorneys fees and costs under the provisions of paragraph (a) and the



person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

Section 12. *Criminal Penalties.* (a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use or occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this article or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this article or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) Whoever willfully violates any provision of this article or any rule or regulation hereunder promulgated or whoever knowingly supplies the rent board with any false information shall be punished by a fine of not more than one thousand dollars.

Section 13. *Termination.* This article and all powers delegated herein shall terminate on April the first, nineteen hundred and seventy-five; provided that the provisions of this article shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any right, liability or offense arising under the provisions of this article.

Section 14. *Severability.* If any provisions of this article or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this article and the applicability of such provision to other persons or circumstances shall not be affected thereby.

On motion of Eleanor Myerson, it was:

**Voted:** To find and declare that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two-family and three-family

houses; that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes; and, pursuant to the authority contained in St. 1970 c. 843, to adopt the following by-law:

### ARTICLE XXX

#### RENT AND EVICTION CONTROL OF OWNER-OCCUPIED TWO-FAMILY AND THREE-FAMILY HOUSES

##### Section 1. *Declaration of Emergency.*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists in the town of Brookline with respect to the housing of a substantial number of the citizens of said town, but especially in housing accommodations in owner-occupied two-family and three-family houses, which emergency has been created by housing demolition, and expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents, especially in housing accommodations in owner-occupied two-family and three-family houses, that unless residential rents and eviction of tenants are regulated and controlled in housing accommodations in owner-occupied two-family and three-family houses, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly tenants in owner-occupied two-family and three-family houses and families of low and moderate income and elderly on fixed incomes.

##### Section 2. *Definitions.*

The following words or phrases as used in this article shall have the following meanings:

(a) "*Rental units*", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boarding house units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "*Controlled Rental Units*", all rental units in owner-occupied two-family and three-family houses except:

(1) rental units in tourist homes and rooming and boarding houses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January 1, 1969, or which are housing units created by conversion from a nonhousing to a housing use on or after said date;

(3) rental units which a government unit, agency or authority either:

(i) owns or operates; or

(ii) regulates the rent other than units regulated under the provisions of this article; or

(iii) finances or subsidies, if the imposition of rent control thereon would result in cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum; public institution or college or school dormitory operated exclusively for charitable or educational purposes; a nursing home or rest home or charitable home for the aged, not organized or operated for profit.

(c) "Rent", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

(e) "Landlord" includes an owner, lessor, sublessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any controlled rental unit, or an agent of any of the foregoing.

(f) "Tenant" includes a subtenant, lessee, sublessee or other person entitled to the possession, use or occupancy of any controlled rental unit.

(g) "Person" includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

### Section 3. Rent Control Board.

(a) The Selectmen shall appoint a Rent Control Board consisting of not less than seven nor more than twelve members, as determined by the Board of Selectmen, and for such terms as the Selectmen shall determine. At least two of said members shall be representatives of landlords and two members representatives of tenants. The members shall serve at the pleasure of the Selectmen. In the event a rent control board is established pursuant to St. 1970 Chapter 842, the Selectmen may appoint the rent control board established under said Chapter 842 as the Rent Control Board under this article of the by-laws.

(b) Members of rent boards shall receive no compensation for their services, but shall be reimbursed by the town for necessary expenses incurred in the performance of their duties.

(c) The rent control board, hereinafter called the board, shall be responsible for carrying out the provisions of this article, and shall hire, with the approval of the Selectmen such personnel as are needed, shall promulgate such policies, rules and regulations as will further the provisions of this article and shall recommend to the town for adoption such by-laws as may be necessary to carry out the purposes of this article.

(d) The Board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this article, or in administering and enforcing this article and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any



information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply.

(e) The board shall have the power to issue orders and promulgate regulations to effectuate the purposes of this article.

#### Section 4. *Registration.*

Within 30 days after the date this article becomes effective, or within 30 days after the property is first rented, whichever is the later, every landlord of a controlled rental unit rented or offered for rent shall file in triplicate a written statement on the form provided therefor by the rent control board to be known as a registration statement. The statement shall identify each dwelling unit and specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the rent board shall require. The original shall remain on file with the rent board and it shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord. In any subsequent change of tenancy the landlord shall exhibit to the new tenant his stamped copy of the registration statement, and shall obtain the tenant's signature and the date thereof on the back of such statement. Within five days after renting to a new tenant, the landlord shall file a notice on the form provided therefor, on which he shall obtain the tenant's signature stating that there has been a change in tenancy, that the stamped copy of the registration statement has been exhibited to the new tenant and that the rent for such rental unit is in conformity therewith.

When the maximum rent is changed by order of the rent board, the landlord shall deliver his stamped copy of the registration statement to the rent board office for appropriate action reflecting such change.

The registration statement shall be signed by the landlord under penalties of perjury.

#### Section 5. *Maximum Rent.*

The maximum rent of a controlled rental unit shall be the rent charged the occupant for or during the month of March, 1970. If the rental unit was unoccupied at that time but was occupied at any time prior to the effective date of this article, the maximum rent shall be the rent charged therefor for or during the month closest to March, 1970. If the maximum rent is not otherwise established, it shall be established by the board. Any maximum rent may be subsequently adjusted under the provisions of section six.

#### Section 6. *Adjustment of Maximum Rents.*

(a) In regulating rents, the rent board established under section three may, by order or regulation, make such individual or general adjustments, either upward or downward, as may be necessary to assure that rents for controlled rental units in the town are established at levels which yield to landlords a fair net operating income for such units. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders. For the purposes of this section, the assessed valuation of the property shall be presumed to be the fair market value of the property. Consistent with the foregoing, the board may by order or regulation adjust maximum rents of controlled rental units to remove hardships or correct inequities.

(b) The rent board by regulation may establish further standards and rules

consistent with the foregoing. The board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(c) The board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(d) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within twelve months.

(e) The board may remove maximum rental levels, established under this section and section five, for any class of controlled rental units if in its judgment the need for continuing such maximum rental levels no longer exists because of sufficient construction of new rental units the rental levels for which are comparable to the rental levels of the class of controlled rental units for which maximum rental levels are to be discontinued or because the demand for rental units has been otherwise met. Any maximum rental level removed under this paragraph shall be reimposed or adjusted and reimposed upon a finding by the rent board that a substantial shortage of rental units exists in the town and that the reimposition of rent control is necessary in the public interest. Any action under this paragraph shall be subject to the hearing and notice requirements of section seven.

#### Section 7. *Incorporation of Administrative Procedure Act.*

The provisions of chapter thirty A of the General Laws shall be applicable to the rent board, established under section three, as if said rent board were an agency of the commonwealth, including those provisions giving agencies the power to issue, vacate, modify and enforce subpoenas, as well as those provisions relating to judicial review of an agency order.

Section 8. *Evictions.* (a) No person shall bring any action to recover possession of a controlled rental unit unless

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this article has taken effect, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this article;
- (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws

of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

- (7) the person holding at the end of a lease term is a subtenant not approved by the landlord;
- (8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;
- (9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and
- (10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this article.

(b) A landlord seeking to recover possession of a controlled rental unit shall apply to the board for a certificate of eviction. Upon receipt of such an application, the board shall send a copy of the application to the tenant of the controlled rental unit together with a notification of all rights and procedures available under this section. If the board finds that the facts attested to in the landlord's petition are valid and in compliance with paragraph (a), the certificate of eviction shall be issued.

(c) A landlord who seeks to recover possession of a control rental unit without obtaining such certificate of eviction shall be deemed to have violated this article, and the board may initiate a criminal prosecution for such violation.

(d) Notwithstanding the provisions of this section the United States, the commonwealth, or any agency or political subdivision thereof, may maintain an action or proceeding to recover possession of any rental unit operated by it if such action or proceeding is authorized by the statute or regulation under which such units are administered.

(e) The provisions of this section shall be construed as additional restrictions on the right to recover possession of a controlled rental unit. No provision of this section shall entitle any person to recover possession of such a unit.

**Section 9. Conference of Jurisdiction.** (a) The Brookline municipal court shall have original jurisdiction, concurrently with the superior court, of all petitions for review brought pursuant to the provisions of section fourteen of chapter thirty A of the General Laws.

(b) The superior court shall have jurisdiction in equity to enforce the provisions of St. 1970 Chapter 843, and this article, and may restrain by injunction violations thereof.

**Section 10. Defense to Summary Process for Possession.**

The rent board may issue orders which shall be a defense to an action of summary process for possession and such orders shall be reviewable as herein provided.

**Section 11. Civil Remedies.** (a) Any person who demands, accepts, receives, or retains any payment of rent in excess of the maximum lawful rent, in violation of the provisions of this article or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the Town of Brookline for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained exceed the maximum rent which could be lawfully demanded, accepted, received or re-



tained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this article or any rule or regulation hereunder promulgated fails to bring an action under this section within thirty days from the date of the occurrence of the violation, the board may either settle the claim arising out of the violation or bring such action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorneys fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

**Section 12. Criminal Penalties.** (a) It shall be unlawful for any person to demand, accept, receive or retain any rent for the use of occupancy of any controlled rental unit in excess of the maximum rent prescribed therefor under the provisions of this article or any order or regulation hereunder promulgated, or otherwise to do or omit to do any action in violation of the provisions of this article or any order or regulation hereunder promulgated.

(b) It shall be unlawful for any person to demand, accept, receive or retain any payment which exceeds the maximum lawful rent for one month as a finder's fee or service charge for the opportunity to examine or lease any controlled rental unit, and no finder's fee or service charge shall be lawful unless the person from whom the payment is demanded, accepted, received or retained actually rents or leases the controlled rental unit with regard to which payment of said fee or said charge has been demanded, accepted, received or retained.

(c) Whoever willfully violates any provision of this article or any rule or regulation hereunder promulgated or whoever knowingly supplies the rent board with any false information shall be punished by a fine of not more than one thousand dollars.

**Section 13. Termination.** This article and all powers delegated herein shall terminate on April the first, nineteen hundred and seventy-five; provided that the provisions of this article shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any right, liability or offense arising under the provisions of this article.

**Section 14. Severability.** If any provisions of this article or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this article and the applicability of such provision to other persons or circumstances shall not be affected thereby.

**THIRD ARTICLE.** To see if the Town will enact the By-Law, which is

affixed hereto, regulating certain rental housing accommodations within the Town and the rents therefor, or will take any other action with respect thereto:

## RENT REGULATION BY-LAW

### Section 1. *Declaration of Emergency*

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists with respect to the housing of a substantial number of the citizens of Brookline, which emergency has been created by housing demolition, an expanding student population, a substantial existing elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased cost of construction and finance, inflation and the effects of the Vietnam conflict, which has resulted in a substantial and increasing shortage of rental housing accommodations and abnormally high rents and that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes.

### Section 2. *Definitions*

(a) *Housing Accommodation.* Any existing building or structure, permanent or temporary, rented or offered for rent located within the Town or any part or portion thereof, occupied or intended for occupancy by one or more individuals as a residence, but not including the following:

- (i) Rental units in hotels, motels, inns and tourist homes;
- (ii) Housing accommodations created by new construction or by conversion from a non-housing use after the effective date hereof;
- (iii) Rental units which a governmental unit, agency or authority either: owns or operates; or regulates or partially regulates the rents thereof; or finances or subsidizes, if the imposition of rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;
- (iv) Rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit.

(b) *Rent.* The consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations together with any separate assessments to the tenant for tax, parking and other charges.

### Section 3. *Creation, Duties and Powers of Rent Board*

(a) There is hereby created a Rent Board consisting of five members who shall be appointed by the Board of Selectmen and who may be removed by the Board of Selectmen when in its judgement the public interest so requires. Three of said members shall be representatives of the public interest; one member shall be representative of landlords and the remaining member shall be representative of tenants. No person holding a public office in the Town other than a town meeting member and no salaried employee of the Town shall be eligible for appointment. The members shall elect one of the three representatives of the public interest to serve as Chairman of the Rent Board.

(b) The members of the Rent Board shall receive no compensation for their services, but shall be reimbursed by the Town for necessary expenses incurred in the performance of their duties. The Rent Board may employ and fix the salaries of such assistants and clerical aid as it deems necessary, with the approval of the Board of Selectmen. Such assistants and clerical aid may be removed at the pleasure of the Rent Board subject to the provisions of law thereto pertaining.

(c) The Rent Board shall have the power to investigate apparent or reported violations of this By-Law, make studies, conduct hearings, adopt, alter and repeal rules and regulations, issue orders, specify requirements and take any other action which it deems necessary or desirable to the administration and enforcement of this By-Law or regulation, order or requirement thereunder in which it is not prohibited by law from taking. For such purposes the Rent Board may require any person who rents or offers for rent or answers a broker or an agent for the rental of any housing accommodations to furnish any information required by it under oath, to make reports and to produce records and other documents.

(d) The Rent Board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this By-Law or any regulation, order or requirement thereunder.

(e) The Rent Board shall have the power to enforce this By-Law or any regulation, order or requirement thereunder in any manner not prohibited by law, including legal and equitable actions in any court of the Commonwealth.

(f) The Police Department, Building Department, Health Department and Assessors for the Town of Brookline shall assist the Rent Board in implementing and enforcing the provisions of this By-Law.

(g) Three members shall constitute a quorum.

#### Section 4. *Registration*

(a) The Board may annually require registration of all housing accommodations in the Town upon a form and schedules supplied by the Board. The Board may by registration inquire into the financing and income of rental housing accommodations as well as into the rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

(b) False information by either landlord or tenant or both shall be punishable by a fine not exceeding \$1000, as well as by the penalties of perjury.

(c) The Board may at any time require verification of information submitted and may compel the attendance of persons and the production of papers and information in such verification.

(d) Registration statements received under this Section shall be for the use of the Board and not to be placed on file for the information of the public. However, such records can be inspected and copies furnished after written request approved by the Selectmen.

#### Section 5. *Decontrolled Housing*

Housing accommodations for which the rent does not exceed the rent charged on January 1, 1969 plus 13.5% shall, upon filing by the landlords of Registration Statements with the Rent Board, be classified as decontrolled. Registration Statements shall thereafter be filed annually by said landlords and said housing accommodations shall be subject to recontrol if at any time the rent exceeds the rent level or percentage rate provided in this section or as provided in amendments thereto.

#### Section 6. *Percentage Rate*

The Rent Board, after public hearing, shall recommend annually to the Town



Meeting, any change in the percentage rate of rent to be charged for housing accommodations. The Town Meeting shall adopt the recommendations of the Rent Board unless by a two thirds vote it deems otherwise.

#### Section 7. *Rent Freeze for Controlled Housing Accommodations*

Any landlord of a housing accommodation for which the rents charged exceed the amounts prescribed in section 5 of this By-Law, shall elect, on or before November 1, 1970, either: (a) to adjust his rents to conform to the level and percentage rate provided in section 5 of this By-Law, or (b) to adjust his rents so that he is receiving a fair net operating income as that term is defined in the enabling legislation. At the time of registration any such landlord must file a petition for adjustment of rent if the Board finds that the landlord's proposed rent schedule exceeds those rental levels which would grant to him a fair net operating income, the landlord shall rebate to the tenants the amount of such excess from November 1, 1970 to the date of the decision of the Board. Such rebate may be in the form of a lump sum payment or a discounted rate for as many months as the excess amount was paid.

#### Section 8. *Adjustments*

(a) Any landlord who, after increasing his rent by the current percent of increase over the rent level as of January 1, 1969 feels his rent schedule does not yield to him a fair net operating income, as defined in the enabling legislation, may file a petition for a rent adjustment.

(b) Adjustments shall be made in the order that petitions are received. However, the Board may advance the date of any adjustment for good cause shown.

(c) Petitions for adjustment shall include a certification of compliance with the minimum standards of fitness for human habitation of the State Sanitary Code.

(d) Relevant schedules must be submitted with the petition for adjustment. The Board shall require refile if the schedules submitted are illegible, incomprehensible, incomplete or misleading.

(e) The Board may at any time require verification of information submitted, and may compel the attendance of persons and the production of papers and information in such verification.

#### Section 9. *Eviction*

(a) Any tenant in controlled housing who has received an eviction notice may petition the Rent Board on a form provided therefor for an order prohibiting the eviction. The tenant shall certify under penalties of perjury that (1) his rent is paid up-to-date, (2) he has not continued to violate an obligation or covenant of his tenancy, other than the obligation to surrender possession, after having received written notice thereof from his landlord, (3) he is not committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same or any adjacent accommodation, (4) he has not been convicted of using or permitting a controlled rental unit to be used for any illegal purpose, and that all occupancy and parking related to the unit is in accordance with the Brookline Zoning By-Law, (5) he will renew his lease if he previously had one, (6) he has not refused the landlord reasonable access to the unit to inspect the premises, to make repairs or improvements or to show the same to a prospective tenant, purchaser or mortgagee.

(b) If the Board finds that the petition is valid and there is no compelling necessity for the eviction, it shall issue an order prohibiting the eviction.

(c) Any member of the Board shall have the power to issue a temporary order prohibiting the eviction pending a hearing of the Board.

(d) A landlord who proceeds in any eviction after receipt of an order prohibiting it shall be punishable by a fine of not more than one thousand dollars for any one offense.

(e) The staff of the Rent Board may represent any tenant who by reason of age or infirmity is not able to file the necessary papers or attend a hearing before the Board.

(f) The staff of the Rent Board may represent any tenant relying upon an order of the Board for a defense in an action of summary process.

(g) Any tenant who has received an eviction notice may petition the Rent Board on a form provided therefor and the Board shall have jurisdiction to issue an order prohibiting retaliatory eviction.

#### Section 10. *Proceedings*

The Board shall regulate its proceedings and actions under this By-Law pursuant to the provisions of the State Administrative Procedure Act. (MGL C. 30A).

#### Section 11. *Severability*

If any provision of this By-Law or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of this By-Law and the applicability of such provision to other persons or circumstances shall not be affected thereby.

#### Section 12. *Termination*

This By-Law shall terminate on October 1, 1973.

No motion was offered and no action was taken under this Article.

### FOURTH ARTICLE. Article XXV. Unfair and Unreasonable Rental Practices in Housing Accommodations.

#### Section 1. *Declaration of Emergency.* (All New Section)

The Town of Brookline, acting by and through its town meeting, finds and declares that a serious public emergency exists in the Town of Brookline with respect to the housing of a substantial number of the citizens of said town, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased costs of construction and finance, inflation and the effects of the Vietnam conflict, and which has resulted in a substantial and increasing shortage of rental housing accommodations and in abnormally high rents; that unless residential rents and eviction of tenants are regulated and controlled, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of Brookline, particularly families of low and moderate income and elderly on fixed incomes.

#### Section 2. *Definitions.*

(a) *Person.* "Person" includes an individual, corporation, partnership, association or any other organized group of persons, a legal successor or representative of the foregoing.

(b) *Landlord.* "Landlord" includes an owner, lessor, sub-lessor, assignee, or other person receiving or entitled to receive rent for the use or occupancy of any housing accommodations, or an agent of any of the foregoing.

(c) *Tenant*. "Tenant" includes a subtenant, lessee, sub-lessee, or other person entitled to the possession, use or occupancy of any housing accommodations.

(d) *Rent*. "Rent" means the consideration, including any bonus, benefit, or gratuity, demanded or received for or in connection with the use or occupancy of housing accommodations or the transfer of a lease of such accommodations.

(e) *Services*. "Services" includes repairs, decorating and maintenance, the furnishing of light, heat, hot and cold water, elevator service, storage and laundry facilities or privileges, janitor service, removal of refuse and any other privilege or facility connected with the use or occupancy of housing accommodations.

(f) *Housing Accommodations*. "Housing accommodations" means any building structure, or part thereof, or land appurtenant thereto, or any other property rented or offered for rent for living or dwelling purposes, together with any services, furnishings and furniture connected with the use or occupancy of such property.

(g) *Unfair and Unreasonable Rental Practice*. An unfair and unreasonable rental practice shall exist whenever a landlord demands, accepts, or receives any rent for the use or occupancy of any housing accommodations within the town that is excessive under the circumstances. The circumstances to be considered in deciding if a rent is excessive include, but are not limited to, the quality of the housing accommodations, the costs, including taxes, actually incurred by the landlord in maintaining and improving the housing accommodations, the yielding of a fair net operating income to the landlord, and the rents prevailing in the town for comparable housing accommodations in comparable locations. Fair net operating income shall be that income which will yield a return, after all reasonable operating expenses, on the fair market value of the property equal to the debt service rate generally available from institutional first mortgage lenders or such other rate of return as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case. The fair market value of the property shall be the assessed valuation of the property or such other valuation as the board, on the basis of evidence presented before it, deems more appropriate to the circumstances of the case.

An unfair and unreasonable rental practice shall also exist whenever a landlord attempts to evict a tenant without one of the following as grounds therefor:

- (1) the tenant has failed to pay the rent to which the landlord is entitled;
- (2) the tenant has violated an obligation or covenant of his tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after having received written notice thereof from the landlord;
- (3) the tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the controlled rental unit, or is creating a substantial interference with the comfort, safety, or enjoyment of the landlord or other occupants of the same of any adjacent accommodation;
- (4) the tenant is convicted of using or permitting a controlled rental unit to be used for any illegal purpose;
- (5) the tenant, who had a written lease or rental agreement which terminated on or after this act has taken effect in a city or town, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration and in such terms that are not inconsistent with or violative of any provisions of this act;
- (6) the tenant has refused the landlord reasonable access to the unit for the purpose of making necessary repairs or improvements required by the laws of the United States, the commonwealth, or any political subdivision thereof, or for the purpose of inspection as permitted or required by the lease



or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

(7) the person holding at the end of a lease term is a subtenant not approved by the landlord;

(8) the landlord seeks to recover possession in good faith for use and occupancy of himself, or his children, parents, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law;

(9) the landlord seeks to recover possession to demolish or otherwise remove the unit from housing use; and

(10) the landlord seeks to recover possession for any other just cause, provided that his purpose is not in conflict with the provisions and purposes of this act.

(h) *Board.* "Board" means the rent review and grievance board established pursuant to this article.

### Section 3. *Creation, Powers and Duties of the Board*

(a) There is hereby created a Rent Review and Grievance Board of five members to be appointed by the Board of Selectmen. Three of said members shall be representatives of the public interest, one member shall be representative of landlords, and one member shall be representative of tenants. The members shall elect one of the three representatives of the public interest to serve as chairman of the Board. The appointments shall be for such terms as the Selectmen shall determine. A member may be removed by the Selectmen when in their judgment the public interest so requires. Vacancies shall be filled by appointment of the Selectmen. Members of the Rent Review and Grievance Board shall receive no compensation for their services as such but shall be reimbursed by the town for necessary expenses in the performance of their duties. The Board may, within the limit of the amounts appropriated therefor, employ and fix the compensation of such assistants and clerical aid as it deems necessary with the approval of the Board of Selectmen, and it may remove them and may make such expenditures as may be necessary effectively to execute its purpose.

(b) The Board shall have the power and duty to receive, investigate and pass upon complaints of unfair and unreasonable rental practices as herein defined. It shall have the power to conduct hearings, issue orders as provided for herein and take any other action which it deems necessary or desirable to the administration and enforcement of this by-law or any order thereunder which it is not prohibited by law from taking.

(c) The Board may review any proposed rent increase submitted to it by a landlord which affects any housing accommodations in the town, and may advise the landlord as to whether or not it considers such increase fair and reasonable. Such an advisory opinion by the Board shall not, however, preclude a tenant who feels himself aggrieved by the rent increase from filing a complaint with the Board pursuant to section 4.

(d) The Board shall have the power to intervene in any suit or action wherein a party relies for grounds of relief or defense upon this by-law or any order made pursuant to it.

(e) The Board shall have the power to make studies, conduct hearings, and issue findings and recommendations on matters relating to rent levels for housing accommodations in the Town.

(f) The Board may annually require registration of all rental housing accommodations in the Town upon a form and schedules supplied by the Board. The board may by registration inquire into the financing and income of rental housing accommodations as well as into rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such

registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

False information by either landlord or tenant or both shall be punishable by a fine not exceeding \$1,000, as well as by the penalties for perjury.

The Board may at any time require verification of information submitted, and may compel the attendance of persons and the production of papers and information in such verification.

Registration statements received under this Section shall be for the use of the board and not to be placed on file for the information of the public. However, such records can be inspected and copies furnished after written request approved by the Selectmen.

#### **Section 4. *Proceedings in Case of an Alleged Unfair and Unreasonable Rental Practice.***

(a) Any tenant claiming to be aggrieved by an alleged unfair and unreasonable rental practice may make, sign, and file with the Board a complaint in writing which shall state the name and address of the landlord alleged to have committed such practice and which shall set forth the particulars thereof and shall contain such other information as may be required by the Board. The Board, whenever it has reason to believe that any landlord has been or is engaging in such a practice, may issue a complaint on its own motion. Any complaint filed pursuant to this section must be so filed within six months after the alleged unfair and unreasonable rental practice occurred.

(b) After the filing of the complaint, the Board staff shall undertake promptly an investigation in connection therewith. The Board chairman may appoint a Board member to supervise the investigation. The investigation may include discussions with the tenant, with the landlord, and with any other person, having information or knowledge relevant to the circumstances of the case. If the staff and/or the Board member so designated shall decide either that the allegations of the complaint are not credible or that there appears to be insufficient basis for concluding that the rental practice complained of is unfair and unreasonable or that the parties have conciliated their differences, a written report stating such conclusion and the reasons underlying it shall be presented to the full Board. The Board shall then decide whether to affirm the conclusion of the report and dismiss the complaint or to reject the conclusion of the report and to schedule the case for hearing. If the staff and/or the Board member so designated shall decide that a hearing should be held, a written report stating such conclusion and the reasons underlying it shall be presented to the full Board which shall schedule the case for hearing.

(c) When a case is scheduled for hearing before the full Board, the Board shall serve notice of the time and place of the hearing upon the tenant and the landlord at least seven days in advance of the hearing date and, in the case of the landlord, the notice shall include a copy of the complaint. The landlord may file a written answer to the complaint at any time prior to the beginning of the hearing. Both tenant and landlord may present their own cases at the hearing or may be represented by counsel. The Board shall not be bound by the strict rules of evidence prevailing in courts of law or equity. The testimony taken at the hearing shall be under oath or affirmation.

(d) If, upon all of the evidence at the hearing, the Board shall find that a landlord has engaged in an unfair and unreasonable rental practice, the Board shall state its findings and conclusions and shall issue and serve upon the landlord an order requiring him to cease and desist from such unfair and unreasonable rental practice and/or containing such other provisions as the Board may deem appropriate. The order may require that the landlord not demand, accept, or receive

any rent for the use or occupancy of specified housing accommodations in excess of an amount which the Board shall determine to be fair and reasonable under the circumstances; and may specify what housing conditions shall be corrected or remedied, and what services shall be furnished to the tenant at the rental so determined, when an eviction may take place and may set terms for continued occupancy by a tenant not otherwise inconsistent with the provisions of this by-law. The Board's order shall not require the landlord to demand, accept, or receive rent for specified housing accommodations that is less than the rent demanded, accepted, or received for such housing accommodations on January 1, 1969.

Such order may be issued to operate prospectively for a period not exceeding one year and shall be binding on all successor landlords of the housing accommodations affected who have notice thereof. The landlord shall provide his successor landlord of the housing accommodations with written notice of the Board's order at or prior to the time his interest in the housing accommodations is transferred.

(e) If, upon all the evidence at the hearing, the Board shall find that the landlord has not engaged in an unfair and unreasonable rental practice, the Board shall state its findings and conclusions and shall issue and cause to be served on the parties an order dismissing the complaint.

(f) The Board shall regulate its proceeding and actions taken pursuant to the provisions of APA.

(g) Any order issued by the Board may be modified, amended, or rescinded by the Board upon written request of either party affected by the order, after due notice is served upon the other party and an opportunity for a hearing is provided; or upon motion of the Board after due notice is served upon all parties and an opportunity for a hearing is provided.

(h) Service of a notice or an order under this section is sufficient if made in hand to the person being served or if mailed, postage prepaid, by certified or registered mail, return receipt requested, to the tenant or landlord at his last known address.

(i) The Board may on a form provide therefore inquire into the financing and income of rental housing accommodations as well as into the rents, operating expenses, physical description, parking facilities, conditions, occupancy, ownership and terms of tenancy. Such registration shall be submitted by the landlord and verified by the tenant of the unit under the penalties of perjury.

False information by either landlord or tenant of both shall be punishable by a fine not exceeding \$1,000, as well as by the penalties for perjury.

The Board may at any time require verification of information submitted and may compel the attendance of persons and the production of papers and information in such verification.

(j) Any member of the board shall have the power to issue a temporary order prohibiting an eviction pending a hearing of the board.

#### Section 5. *Exempt Housing Accommodations.*

The provisions of this article shall not apply to hotels, tourist houses, non-housekeeping furnished accommodations, hospitals, convents, monasteries, asylums, public institutions or college or school dormitories, or to any institution operated exclusively for charitable or educational purposes on a non-profit basis; or to housing accommodations owned and operated by the U.S. or the Comm. of Mass. or any instrumentality thereof, the Brookline Housing Authority, the Brookline Redevelopment Authority or the Town of Brookline; or to housing accommodations having the maximum rent for each unit thereof controlled in order to comply with the conditions of Federal or State legislation or regulations thereunder; or to



luxury accommodations; or to housing accommodations, the construction of which was completed on or after the effective date of this by-law.

**Section 6: Prohibitions and Penalty.**

(a) Regardless of any contract, lease or other obligation heretofore or hereafter entered into, it shall be unlawful for any person:

(1) To violate any provision of an order of the Board issued pursuant to Section 4.

(2) To deprive or attempt to deprive, by coercion, fraud, duress or other illegal means, any person of the benefits of this by-law or of any order of the Board thereunder.

(3) To remove or attempt to remove from any housing accommodations the tenant or occupant thereof or to refuse to renew the lease or the agreement for the use of such accommodations, because such tenant, or occupant has taken, or proposes to take, action authorized by this by-law or any order of the Board thereunder.

(4) In the case of a landlord subject to an order of the Board, to fail to provide written notice to any successor landlord of the Board's order.

(5) To evade any provision of this by-law or any order of the Board thereunder, either directly or indirectly, in connection with the renting or leasing or the transfer of a lease or the recovery of possession of housing accommodations by way of absolute or conditional sale, sale with purchase money or other form of mortgage or sale with option to purchase, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with housing accommodations, or by tying agreement, or otherwise.

(6) To fail to file with the Board, at the time established by the Board, such information as the Board may require pursuant to Section 3 (f).

(b) Any person who commits an unlawful act described in paragraph (a) of this Section 6, or any person who shall wilfully resist, prevent, impede or interfere with the Board or any of its members or representatives in the performance of duty under this article shall be punished for each offense by a fine of not more than one thousand dollars.

(c) The Board may pursue whatever equitable remedies are available to it to require a landlord to comply with an order of the Board to which he is subject and to require a landlord to file with the Board such information as the Board may require pursuant to Section 3 (f), and may take any such action in the name of the town.

(d) Any agreement by a tenant to waive the benefit of any provision of this by-law or any order of the Board thereunder, shall be void.

**Section 7. Judicial Review**

Judicial review shall be in accordance with St. 1970 c.

**Section 8. Referral to Other Town Agencies.**

Nothing in this by-law shall be construed to prevent the Board from reporting the case to any one or more of the Assessing Department, the Building Department, the Director of Public Health (Housing Code Section), and the Administrative Assistant to the Executive Secretary — Legal Code Enforcement for such further action as any such department or said Director or Administrative Assistant may deem appropriate.

**Section 9. Repeal Procedure.**

The Selectmen shall insert in the warrant for the annual town meeting for 1973 and, unless repealed prior thereto, in the warrant for the annual town meeting

in every second year thereafter, an article presenting the question whether this by-law shall be repealed as of the end of June of that year.

Section 10. *Invalidity in Part.*

If any provision of this article or the application thereof to any person or circumstance, shall for any reason, be held invalid, the remainder of this article or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

No motion was offered and no action was taken under this Article.

**FIFTH ARTICLE.** To see if the Town will appropriate from available funds the sum of seventy-five hundred dollars (\$7,500) for the purpose of providing for salaries and expenses of the operation of a rent control board established pursuant to Article 1 and/or Article 2, and will transfer the sum of seventy-five hundred dollars (\$7,500) from the unexpended balance of the appropriation for the Rent Review and Grievance Board to the account of the said rent control board to be expended by the rent control board for said purpose, or will take any other action with respect thereto.

On motion of George V. Brown, Jr., it was:

Voted: To transfer the sum of seventy-five hundred dollars (\$7,500) from the unexpended balance of the appropriation for the Rent Review and Grievance Board for the purpose of providing for the salaries and expenses of the operation of the Rent Control Board established pursuant to the votes under Articles 1 and 2.

**SIXTH ARTICLE.** To see if the Town will repeal Article XXV of the Town By-Laws, entitled, "Unfair and Unreasonable Rental Practices in Housing Accommodations."

On motion of George V. Brown, Jr., it was:

Voted: To repeal Article XXV of the Town By-Laws, entitled, "Unfair and Unreasonable Rental Practices in Housing Accommodations."

At twenty-seven minutes past eleven on motion it was:

Voted: That this Special Town Meeting be dissolved.

At the close of the meeting the checkers reported the names of two hundred forty-five (245) Town Meeting Members had been checked as present at this meeting.

Dissolved:

THOMAS F. LARKIN  
Town Clerk

## WARRANT FOR STATE ELECTION THE COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

*To any Constable of the Town of Brookline, Greetings:*

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in elections, to meet in the polling places designated for the several precincts in said Town, on Tuesday, the third day of November, 1970 it being the first Tuesday after the first Monday in the said month, at seven o'clock in the forenoon for the following purposes:

To give in their votes for the following State and County Officers, to wit:

Senator in Congress for this Commonwealth  
Governor for this Commonwealth  
Lieutenant Governor for this Commonwealth  
Attorney General for this Commonwealth  
Secretary of the Commonwealth for this Commonwealth  
Treasurer for this Commonwealth  
Auditor for this Commonwealth  
Representative in Congress for Eighth Congressional District  
Councillor for Third Councillor District  
Senator for Norfolk and Suffolk District  
Three Representatives in General Court for Thirteenth Norfolk District  
District Attorney for Norfolk County  
Clerk of Courts for Norfolk County  
Register of Deeds for Norfolk County  
One County Commissioner for Norfolk County

Also for the purpose of giving in their votes "Yes" or "No" on the following questions:



## QUESTION NO. 1

## PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in a joint session of the two branches held July 15, 1968, received 155 votes in the affirmative and 98 in the negative, and in a joint session of the two branches held May 14, 1969, received 147 votes in the affirmative and 119 in the negative?

YES ☐NO ☐

## SUMMARY

The proposed amendment to the Constitution authorizes the Legislature to classify real property according to uses, and authorizes the assessment, rating and taxation of real property at different rates in the different classes so established, but proportionately in the same class. The amendment further authorizes the granting of reasonable exemptions and abatements.

## QUESTION NO. 2

## PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in a joint session of the two branches held October 9, 1967, received 237 votes in the affirmative and 0 in the negative, and in a joint session of the two branches held May 14, 1969, received 262 votes in the affirmative and 4 in the negative?

YES ☐NO ☐

## SUMMARY

The proposed amendment to the Constitution abolishes the requirement that in order to vote in a state election a person must have resided within the Commonwealth one year. If amended, the Constitution would require only that a voter have resided six months in the town or district in which he claims a right to vote.

## QUESTION NO. 3

## PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in a joint session of the two branches held October 9, 1967, received 142 votes in the affirmative and 102 in the negative, and in a joint session of the two branches held May 14, 1969, received 222 votes in the affirmative and 49 in the negative?

YES ☐NO ☐

## SUMMARY

The proposed amendment to the Constitution reduces the minimum age for voting in a state election from twenty-one to nineteen.

## QUESTION NO. 4

## PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in a joint session of the two branches held July 15, 1968, received 181 votes in the affirmative and 66 in the negative, and in a joint session of the two branches held May 15, 1969, received 208 votes in the affirmative and 54 in the negative?

YES ☐NO ☐

## SUMMARY

The proposed amendment to the Constitution amends the existing constitutional provisions which direct the division of the Commonwealth into 240 representative districts and 40 senatorial districts. It provides for a census of the inhabitants of each city and town in the Commonwealth in the year 1971 and in every tenth year thereafter. The census in 1971 is to be the basis for determining the representative and senatorial districts for the ten-year period beginning January 1, 1975. Each subsequent census shall be the basis for determining the districts for each ten-year period beginning the fourth January following each census, so that the census in 1981 will determine the districts as of January 1985, etc.

The amendment provides that the house of representatives shall consist of two hundred and forty members and the senate of forty members. In its first regular session following each census, the Legislature shall divide the Commonwealth into two hundred and forty representative districts of contiguous territory and forty senatorial districts also of contiguous territory. Each representative district shall contain, as nearly as may be, an equal number of inhabitants according to the census. Each senatorial district shall also contain as nearly as may be an equal number of inhabitants according to the census. A representative district shall not unite two or more counties, towns, or cities, or parts thereof, or a city and a town, or parts thereof, in one district unless the same is unavoidable. Further, no town of less than six thousand inhabitants shall be divided in forming representative districts. It is also provided that the County of Dukes County and Nantucket County shall each be a representative district, notwithstanding the foregoing. The senatorial districts, each of which shall elect one Senator, shall be formed without uniting two counties or parts of two or more counties, unless the same is unavoidable.

Each representative shall be an inhabitant of the district for which he is chosen at least one year immediately preceding his election, and each senator shall be an inhabitant of the district for which he is chosen at the time of his election and shall have been an inhabitant of the Commonwealth for at least five years immediately preceding his election. Any representative or senator who ceases to be an inhabitant of the Commonwealth shall cease to represent his district.

The amendment also provides that the Legislature (1) may by law limit the time within which judicial proceedings may be instituted calling in question any such division and (2) shall prescribe by law the manner of calling and conducting elections for the choice of representatives and of ascertaining their election.

Finally, the amendment annuls the existing constitutional provisions with respect to apportionment of representative and senatorial districts, although those provisions will remain in effect until January 1, 1975.

#### QUESTION NO. 5

##### MULTIPLE CHOICE QUESTION

Which one of the following do you prefer with reference to the future course of action by the United States in Vietnam?

To vote on this question mark a cross X in the square at the right of the subdivision you prefer. DO NOT VOTE FOR MORE THAN ONE

- A. Win a military victory. ☐
- B. Withdraw our armed forces in accordance with a planned schedule. ☐
- C. Withdraw all our armed forces immediately. ☐

#### QUESTION NO. 6

A. Shall licenses be granted in this city (or town) for the sale therein of all alcoholic beverages (whisky, rum, gin, malt beverages, wines and all other alcoholic beverages)?

YES ☐  
NO ☐

B. Shall licenses be granted in this city (or town) for the sale therein of wines and malt beverages (wines and beer, ale and all other malt beverages)?

YES ☐  
NO ☐



C. Shall licenses be granted in this city (or town) for the sale therein of all alcoholic beverages in packages, so called, not to be drunk on the premises?

YES ☐  
NO ☐

D. Shall licenses be granted in this city (or town) for the sale of all alcoholic beverages by hotels having a dining room capacity of not less than ninety-nine persons and lodging capacity of not less than fifty rooms?

YES ☐  
NO ☐

### QUESTION NO. 7

"Shall the Representative from this District be instructed to vote to approve the passage of a constitutional amendment reducing the size of the Massachusetts House of Representatives from 240 members to 160 members?"

YES ☐  
NO ☐

The Polls will be open from 7:00 a.m. to 8:00 p.m.

Hereof fail not and make due return of this Warrant with your doings thereon, to the Selectmen, seven days at least before the day of said meeting.

Given under our hands at Brookline, this nineteenth day of October in the year of our Lord one thousand nine hundred and seventy.

GEORGE V. BROWN, JR.  
SUMNER Z. KAPLAN  
ROBERT C. COCHRANE, JR.  
HERBERT ABRAMS  
ELEANOR MYERSON  
*Board of Selectmen*

A true copy.

Attest:

THOMAS J. HILL, JR.

*Constable*

NORFOLK, SS.

BROOKLINE, MASS., OCTOBER 26, 1970

By virtue of this Warrant, I this day notified and warned the inhabitants of the Town of Brookline as within described, by posting true and attested copies of this Warrant in twenty public places within the Town. I also had a true and attested copy of this Warrant published in the Brookline Chronicle-Citizen, issue of October 22, 1970. All of which was done at least seven days before said election.

THOMAS J. HILL, JR.  
*Constable*

In pursuance of the foregoing Warrant the inhabitants of the Town of Brookline qualified to vote in elections met at the polling places designated for the several precincts in said Brookline, on Tuesday, the third day of November, 1970, at seven o'clock in the forenoon.

Upon receipt of the returns from the several precincts, they were tabulated and the total result of the ballot was announced as follows:

# STATE ELECTION, NOVEMBER 3, 1970

	SENATOR IN CONGRESS				GOVERNOR				LIEUTENANT GOVERNOR				ATTORNEY GENERAL				SECRETARY				TREASURER				AUDITOR				CONGRESS- MAN	COUN- CILLOR	SENATOR	REPRESENTATIVES				DISTRICT ATTORNEY	CLERK COURTS	REGISTER OF DEEDS	OF COUNTY COMM.																	
	Spaulding	Kennedy	Giffelder	Shaw	Blanks	Sargent	White	Blomen	Hedges	Blanks	Dwight	Dukakis	Volano	Bates	Blanks	Conn	Quinn	Hogseath	Blanks	Newman	Davoren	Gaudet	Becker	Blanks	Hannon	Crane	Nelson	Lauder	Blanks	Bucci	Buczko	Gray	Williams	Blanks	O'Neill	Blanks	Cronin	Blanks	Backman	Blanks	Linsky	Brown	Powers	Businger	Hennessey	Rotenberg	Blanks	Burke	Blanks	Concannon	Blanks	Shannon	Hannon	Blanks	McManus	Blanks
1A	373	437	006	002		507	326	007	000		507	326	004	000		330	417	008		527	236	007	008		318	361	017	001		312	385	013	002		432		331		488		597	322	346	330	284	427		345		340		335	282	337		
1B	467	339	006	003		583	241	005	002		583	241	003	004		421	325	007		587	160	005	003		393	288	009	000		407	301	009	003		347		285		419		642	372	427	217	189	412		300		295		411	207	286		
2A	465	727	005	003		745	495	006	003		745	495	006	002		396	660	014		609	432	013	006		339	562	021	006		336	593	018	006		615		497		775		806	361	366	477	451	742		540		500		364	446	515		
2B	177	350	000	000		318	235	000	000		318	235	000	000		153	298	000		282	183	000	000		112	269	000	000		130	282	000	000		292		239		413		364	109	138	262	176	413		262		254		125	220	249		
3A	382	564	006	003		642	354	004	002		642	354	006	001		373	443	004		519	305	005	012		305	416	007	004		318	441	009	005		456		383		641		666	269	373	423	275	636		421		393		308	324	404		
3B	413	614	013	001		624	466	009	002		624	466	005	001		374	561	011		603	338	008	005		330	493	015	005		336	526	014	005		551		465		694		729	282	441	461	341	557		505		481		349	403	468		
4A	175	409	014	004		326	294	007	001		326	294	009	001		165	375	017		204	315	009	002		134	357	017	001		142	354	013	000		429		328		383		190	149	219	304	441	270		345		326		152	290	339		
4B	302	610	003	003		497	433	006	003		497	433	003	004		298	541	010		401	396	007	007		263	479	015	004		248	493	008	005		562		451		602		462	279	291	399	551	415		481		451		274	394	461		
5A	336	484	005	000		525	315	003	003		525	315	003	000		312	451	011		432	331	006	000		285	415	013	001		296	415	012	001		469		389		410		387	310	350	306	522	242		396		369		282	342	383		
5B	182	567	010	000		372	397	006	000		372	397	006	000		150	525	010		242	401	004	003		131	483	010	003		135	477	008	003		530		424		503		215	213	223	379	601	283		455		437		156	396	446		
6A	416	514	013	002		631	363	005	000		631	363	004	000		372	465	007		555	286	005	009		309	407	009	006		319	443	015	002		456		362		612		729	266	326	377	258	636		421		395		325	312	382		
6B	372	534	005	002		596	360	002	001		596	360	002	000		328	512	011		522	316	005	004		285	456	019	000		281	485	011	006		511		384		613		612	281	350	389	398	463		430		400		290	356	418		
7A	292	452	003	002		442	326	002	001		442	326	002	001		260	417	009		422	259	008	003		217	398	014	003		231	387	014	008		424		335		502		514	218	263	367	253	459		358		339		225	314	342		
7B	336	596	012	002		581	390	005	001		581	390	004	001		341	502	011		557	295	014	000		278	469	023	003		280	497	018	002		508		622		417		685	291	326	442	299	517		447		420		281	373	415		
8A	230	491	002	003		406	333	005	003		406	333	005	003		223	393	014		348	275	011	005		173	367	015	005		187	378	013	005		416		326		526		508	166	188	399	240	470		345		321		177	304	327		
8B	240	513	009	000		458	422	007	000		458	422	010	003		224	521	011		371	352	013	007		155	490	014	003		167	509	013	003		501		413		661		574	155	198	451	307	626		459		433		169	398	431		
9A	329	544	011	005		514	398	003	002		514	398	003	000		309	490	012		507	299	012	008		283	412	021	003		293	444	022	006		463		388		601		650	275	346	414	283	564		405		378		286	336	383		
9B	369	549	010	003		588	368	007	003		588	368	007	002		321	533	019		540	326	006	005		285	484	010	003		318	466	011	002		536		402		503		593	361	349	355	413	401		550		433		307	354	426		
10A	338	546	004	003		558	383	009	000		558	383	008	000		329	463	013		530	283	010	003		270	435	016	005		298	442	013	006		394		383		557		668	288	316	387	259	504		400		384		275	341	381		
10B	342	382	007	000		512	240	003	001		512	240	004	001		353	350	005		464	229	003	001		305	338	008	000		320	322	009	003		358		289		359		407	391	304	211	244	364		322		306		312	250	301		
11A	815	637	006	004		1078	416	005	003		1078	416	004	002		819	562	009		1005	375	007	006		727	536	010	002		712	562	007	011		624		510		655		1090	834	729	325	460	601		538		510		750	393	513		
11B	487	623	006	002		757	380	002	001		757	380	000	000		450	557	005		671	354	003	004		378	520	005	000		376	555	005	001		581		470		714		836	418	420	367	303	660		499		479		373	414	474		
12A	449	622	003	001		791	386	004	002		791	386	005	001		424	611	006		678	377	007	002		391	551	011	001		379	604	006	002		584		522		738		778	425	395	404	365	680		556		523		380	442	521		
Totals	8689	12756	177	048	1948	13585	8660	122	037	1184	13585	8690	111	031	1201	8070	11429	241	3878	12063	7421	175	113	3846	6905	10431	313	061	5908	7067	10817	276	089	5369	11626	11992	9384	14234	13606	10012	14406	7308	8036	8861	8186	11918	12139	10228	13390	9591	14027	7160	8260	8198	9628	



## STATE ELECTION, NOVEMBER 3, 1970

	Question 1		Question 2		Question 3		Question 4		Question 5			Question 6						Question 7			STATISTICS												
	YES	NO	BLANKS	YES	NO	BLANKS	YES	NO	BLANKS	BLANKS	A		BLANKS	B		C		BLANKS	D		BLANKS	YES	NO	BLANKS	PRECINCT	REGISTERED							
											YES	NO		YES	NO	YES	NO		YES	NO													
1A	229	311		426	112	368	198		288	131	040	238	292		389	080		339	063		345	058		333	059		414	072	1A	1113	890		
1B	227	320		413	150	343	226		290	155	048	271	259		365	106		322	079		338	071		340	070		414	074	1B	1135	870		
2A	315	385		525	190	487	250		339	170	063	297	414		545	121		456	093		469	087		464	083		563	091	2A	1634	1213		
2B	121	203		247	082	228	100		176	080	019	127	194		217	048		194	037		210	030		199	031		250	031	2B	735	590		
3A	221	340		414	136	351	202		259	132	037	242	316		384	105		304	081		330	072		313	063		415	072	3A	1337	1052		
3B	284	416		545	178	483	241		355	192	046	294	391		505	128		446	103		454	097		448	091		545	107	3B	1455	1144		
4A	124	210		217	100	198	124		142	068	052	182	112		274	058		243	048		245	040		239	040		254	064	4A	878	671		
4B	211	311		386	135	350	173		252	118	070	214	270		414	091		363	067		362	074		361	065		407	074	4B	1257	998		
5A	191	344		362	162	328	204		253	149	049	257	216		409	111		383	085		380	090		387	073		423	097	5A	1162	912		
5B	165	269		286	151	248	193		185	141	068	204	186		359	082		317	068		315	066		314	057		336	082	5B	1034	842		
6A	277	354		465	164	417	238		332	160	040	265	349		440	105		394	082		434	076		422	066		397	071	6A	1313	1037		
6B	250	340		455	140	394	211		304	151	051	271	311		462	102		403	074		402	075		398	067		496	075	6B	1304	1018		
7A	210	280		386	113	357	157		247	140	036	196	291		354	088		308	068		319	063		310	061		406	064	7A	1015	812		
7B	260	380		511	150	493	171		341	177	030	241	393		476	079		404	066		405	062		391	070		489	080	7B	1293	1025		
8A	190	256		349	105	309	144		216	137	032	166	271		285	078		254	051		262	047		252	053		323	057	8A	1086	794		
8B	214	353		407	167	397	186		296	168	039	214	338		405	113		350	084		373	080		369	072		418	095	8B	1168	947		
9A	229	383		436	144	401	190		291	169	043	216	347		414	097		358	068		367	061		365	062		454	073	9A	1386	1010		
9B	283	372		517	131	484	172		350	178	045	221	388		472	084		392	065		399	058		385	062		461	083	9B	1298	961		
10A	270	446		519	168	473	251		397	188	049	291	362		519	123		446	107		467	093		475	078		571	077	10A	1269	1018		
10B	244	380		513	133	441	206		331	165	037	215	391		449	101		375	081		409	065		406	056		512	075	10B	1163	963		
11A	205	333		363	162	332	214		253	169	043	253	247		405	109		350	091		369	083		370	078		438	079	11A	939	805		
11B	446	678		797	333	723	420		638	336	085	688	456		842	188		728	142		731	145		737	125		888	153	11B	1632	1581		
12A	321	524		608	222	574	280		470	222	058	364	409		610	131		532	098		552	100		551	096		644	110	12A	1494	1214		
12B	333	588		610	280	567	347		441	236	069	400	440		621	146		532	125		557	109		533	122		644	134	12B	1472	1231		
Totals	5820	8786	9012	10757	3828	9033	9757	5098	8763	7506	3941	12171	1177	6327	7643	8471	10615	2474	10529	9202	1920	12496	9482	1790	12346	9337	1695	12586	11236	1994	10388	29791	23618
Voted 79.94%																																	

WRITE-IN VOTES

Senator		
Peter Camejo, Jr.		005
Norm W. Davis, Jr.		001
Attorney General		
Michael Kelly		001
Congressman		
Leat Singer		001
Arthur Bobrick		001
James C. Moscow		001
Michael Robbins		001
Councillor		
Robert L. Moscow		001
Shepherd Ainsner		001
District Attorney		
Meyer Moscow		002
Jason Ainsner		001
State Senator		
Robert C. Cochrane		001
Clerk of Courts		
Eva Davidson		001
Harry T. Wiggins		001
County Commissioner		
John Miller		001

Brookline, Massachusetts, November 9, 1970

We hereby certify that we have canvassed the returns as made from each of the Polling Places with the within results and certify them to be correct.

GEORGE V. BROWN, JR.  
ROBERT C. COCHRANE, JR.  
ELEANOR MYERSON  
*Board of Selectmen*

Attest:  
THOMAS F. LARKIN  
*Town Clerk*

All materials properly sealed, tally sheets and all other records pertaining to the State Election have been preserved by the Town Clerk during the time required by law.

Attest:  
THOMAS F. LARKIN  
*Town Clerk*

Brookline, Massachusetts, November 9, 1970

The certificates of election signed by the Selectmen and Town Clerk were delivered to the Office of the Secretary of the Commonwealth, State House, Boston, Massachusetts, on November 9, 1970. Returns of election of County Officers were made out on blanks furnished by the Clerk of Courts and County Commissioners, and mailed in envelopes furnished for the purpose after being signed by the Selectmen and attested by the Town Clerk.

Attest:  
THOMAS F. LARKIN  
*Town Clerk*

# General Government

## THE TOWN CLERK

THOMAS F. LARKIN

The department receipts totaled \$28,965.78 for the year 1970.

The total number of births recorded for the year 1970, which is incomplete pending final returns from the City of Boston, was 441. All of which are Brookline Residents.

The total number of deaths recorded for the year 1970, which is incomplete pending final returns from the City of Boston, was 835, of which 574 were Brookline residents.

The total number of marriage intentions filed in 1970 was 753.

The total number of marriages recorded for the year 1970 was 891.

Statistics for the Town Clerk for the year 1970 are as follows:

Marriage Intentions .....	\$ 1,822.00
Commercial Code Recordings and Terminations .....	4,529.68
Renewal of Gasoline Permits .....	24.00
Conservation Licenses (Fishing & Hunting Licenses) .....	11,660.65
Certified Copies of Records .....	3,786.98
Citizenship and Voters Certifications .....	148.30
Married Women's Certificates .....	7.50
Business Certificates .....	141.50
Dog Licenses .....	5,946.00
Miscellaneous .....	899.17
Total .....	<u>\$28,965.78</u>

### Dog Licenses

1242 Males @ \$2.00 .....	\$ 2,484.00
364 Females @ \$5.00 .....	1,820.00
766 Spayed Females @ \$2.00 .....	1,532.00
1 Kennel @ \$50.00 .....	50.00
2 Kennels @ \$25.00 .....	50.00
1 Kennel @ \$10.00 .....	10.00
Total .....	<u>\$ 5,946.00</u>
Paid to Norfolk County Commissioners — Licenses .....	\$ 5,352.00
Paid to Town Treasurer — Fees .....	594.00
Total .....	<u>\$ 5,946.00</u>



## Conservation Licenses

Fishing and Game Licenses issued during 1970, 2290 .....	\$11,660.65
Paid to Division of Fisheries & Game .....	\$11,129.00
Paid to Town Treasurer — Fees .....	531.65
Total .....	<u>\$11,660.65</u>

The following is the attendance record at Town Meetings of elected Town Meeting Members and Town Meeting Members at large during the year 1970. This is the record given by the Tellers at the several Town Meetings.

## TOWN MEETING ATTENDANCE RECORD 1970

NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Abrams, Herbert	AL	P	P	P	P	P	P	P
Alexander, Myron S.	1	P	P	P	A	A	A	P
Alkon, Bertram R.	9	P	P	P	P	P	P	P
Alkon, Maurice	9	P	P	P	P	P	P	P
Alper, Benedict S.	7	P	P	A	P	P	P	P
Alpern, Celia L.	2	P	A	P	P	A	A	P
Ansin, Harold	12	A	A	P	P	A	P	P
Bachrach, David	2	P	P	P	P	A	P	P
Backman, Jack H.	AL	P	P	P	P	P	P	P
Banks, Peter A.	10	P	P	P	P	P	P	P
Barron, Arnold M.	6	P	P	A	A	A	A	P
Baybutt, Anne N.	11	P	P	P	P	P	P	P
Belsey, Paula	2	P	P	P	P	P	P	P
Belsey, Richard	2	P	P	P	P	P	P	P
Berenson, Morton D.	9	P	A	P	P	A	P	P
Berg, Solomon	11	P	P	P	P	P	P	P
Bigelow, Edward L., Jr.	11	A	A	A	A	A	P	P
Blackman, George L.	1	P	P	P	P	P	A	P
Bloom, David H.	9	P	P	P	P	P	A	P
Brady, Edward J.	5	P	P	A	P	A	A	P
Bremner, Harriet Sussman	10	P	P	P	P	P	P	P
Bremner, Herbert K.	10	P	P	P	P	P	P	P
Brennan, Martin J.	4	P	P	P	P	P	A	P
Bridge, Harrison P.	11	P	P	P	P	P	P	P
Brown, George V., Jr.	AL	P	P	P	P	P	P	P
Brown, James M.	6	*	*	*	*	*	P	P
Brown, Matthew	10	P	P	P	P	P	P	P
Brown, Roy Howard	6	P	P	A	A	A	P	P
Brussel, Sylvia G.	10	P	P	P	P	P	P	P
Burack, Abraham S.	10	P	P	P	P	P	P	P
Burke, William J., Jr.	5	P	P	P	P	P	P	P
Burns, Richard J.	2	P	P	P	P	P	P	P
Businger, John A.	3	P	P	P	P	P	P	P
Cahill, Francis M.	11	A	A	A	A	A	A	A
Cahill, John B.	4	P	P	P	P	A	P	A
Campion, Louis B.	2	P	P	A	P	P	P	P
Carle, Owen M.	5	A	A	P	A	A	P	P

NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Cavanaugh, Francis P. ....	5	A	A	P	P	A	P	P
Caverly, Ernest R. ....	AL	P	P	P	P	P	*	*
Cochrane, Robert C., Jr. ....	AL	P	P	P	P	P	P	P
Coffey, John A. ....	AL	*	*	*	*	*	A	A
Cohen, Beryl W. ....	AL	A	A	A	A	A	A	A
Cohen, Muriel L. ....	6	P	P	A	P	P	P	P
Cohen, Roger M. ....	7	A	A	A	P	A	P	P
Comen, Steven J. ....	8	P	P	P	P	P	P	P
Condon, Thomas P. ....	5	P	P	P	P	P	P	P
Connorton, John ....	7	P	P	P	P	P	P	P
Conrad, Aubrey C. ....	4	P	P	P	P	P	P	P
Conviser, Eliot ....	12	P	P	P	P	P	P	P
Crowley, J. Mildred ....	4	P	P	P	P	P	P	P
Coolidge, Hamilton ....	AL	P	A	P	P	P	*	A
Dane, Bertram J. ....	1	P	P	P	P	P	P	P
Daniels, Helen P. ....	1	A	A	A	A	A	P	P
Davis, Maurice ....	8	P	P	P	P	P	P	P
Dean, Philip ....	11	P	P	A	P	P	P	A
Deland, F. Stanton, Jr. ....	11	P	P	P	P	P	P	P
Deykin, Daniel ....	1	P	P	A	P	P	P	P
Dirrane, Virginia T. ....	3	P	P	P	P	P	P	P
Doherty, John J. ....	5	P	P	P	P	P	P	P
Doherty, William J. ....	5	P	P	P	P	P	P	A
Doldt, Francis F. ....	4	P	P	P	P	P	P	P
Donovan, Thomas F. ....	3	P	P	P	P	P	P	P
Dronsick, Jacques M. ....	AL	P	P	P	A	A	P	A
Drukman, Jacob P. ....	1	P	P	P	P	P	P	P
Dukakis, Michael S. ....	AL	P	A	A	P	A	P	P
Edelstein, Bernard E. ....	8	P	P	P	P	P	A	P
Edmonds, Andrew W. ....	11	*	*	*	*	*	P	P
Edmondson, Martha G. ....	1	P	P	P	P	P	P	P
Federman, Edna ....	12	P	P	P	P	P	P	P
Feinson, Milton M. ....	9	P	P	A	P	P	P	A
Fields, Edward F. ....	12	P	P	P	P	P	A	P
Fine, Jonathan E. ....	10	P	P	P	P	P	P	P
Fine, Jonathan S. ....	10	P	P	P	P	P	P	P
Finn, Robert ....	3	A	A	P	P	P	P	P
Firestone, Anita S. ....	11	P	P	P	P	P	P	P
Firth, Theodore E. ....	10	P	P	P	P	P	P	P
Fogerty, Marion E. ....	12	P	P	P	P	P	P	P
Ford, Daniel F. ....	4	P	P	P	P	P	P	P
Ford, Thomas F., Jr. ....	5	P	P	P	P	P	P	A
Freedman, Gertrude C. ....	7	P	P	A	P	P	P	P
Freedman, Lillian J. ....	2	P	P	P	P	P	P	P
Fried, Joan ....	1	A	P	P	P	P	P	P
Friedman, Aryeh R. ....	6	P	P	P	P	P	P	P
Gardner, G. Peabody ....	AL	*	*	*	*	*	A	*
Geddis, William J. ....	AL	P	P	P	P	A	P	A
Gerte, Albert ....	12	P	P	P	P	P	P	P
Gilbert, Jeffrey T. ....	3	P	P	P	P	P	P	P
Godine, Morton Robert ....	11	P	P	P	P	P	P	P
Goldberg, Harold D. ....	8	P	P	A	A	A	A	P
Goldenberg, Stephen B. ....	12	P	P	A	P	P	P	P
Goodman, Jerome Daniel ....	12	P	P	P	P	P	P	P
Goodwin, Herbert N. ....	2	P	P	P	P	P	P	P

NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Gordon, Selma .....	3	P	P	P	P	P	P	P
Griffin, James J. ....	4	A	P	P	P	P	P	P
Gross, Sidney .....	8	P	A	A	P	P	A	P
Hall, John M. ....	11	P	P	P	P	A	P	P
Halpern, Frances .....	2	P	P	P	P	P	P	P
Hammond, Henry H. ....	11	P	P	P	P	P	P	P
Hanflig, Arthur J. ....	2	P	P	P	P	P	P	P
Harris, Mary J. ....	5	P	P	P	P	P	A	P
Hart, Joseph S. ....	5	P	P	A	P	A	P	P
Heffernan, Dorothy M. ....	10	P	P	P	P	P	P	P
Heimberg, Sidney .....	10	P	P	P	P	P	P	P
Heller, Ellen S. ....	3	P	P	P	P	P	P	P
Hemingway, Herman W. ....	9	P	P	P	P	P	P	P
Henderson, James H. ....	AL	A	A	A	A	A	P	A
Herman, Raymond .....	9	P	P	P	P	P	P	P
Herman, Sidney .....	3	P	P	P	P	A	P	P
Hirshom, William I. ....	12	P	P	P	P	P	P	P
Hollman, Stephen .....	6	P	P	P	P	P	P	P
Horan, William J. ....	4	A	A	A	A	A	A	P
Hubbard, Charles W., III .....	11	P	P	P	P	P	A	P
Hunneman Robert I. ....	AL	P	P	P	P	P	P	A
Jackson, Anne A. ....	6	P	P	P	P	P	P	P
Jackson, Ira A. ....	6	P	P	P	P	P	P	P
Jacobs, Cyrus L. ....	12	P	P	P	P	P	P	P
Joyce, Mary M. ....	4	P	P	P	P	P	P	P
Kaitz, Harold .....	6	P	P	P	P	P	P	P
Kaplan, Bernard S. ....	7	P	P	P	P	P	P	P
Kaplan, Sumner Z. ....	AL	P	P	P	P	P	P	P
Kassler, Haskell A. ....	10	P	P	A	A	A	P	P
Kates, Richard S. ....	10	P	P	P	P	P	P	P
Katz, Estelle .....	10	P	P	P	P	P	A	P
Kaufman, Sylvester .....	2	P	P	P	P	P	P	P
Kayakachoian, Garabed .....	7	A	A	A	A	A	P	P
Keaveney, Walter P. ....	3	A	P	A	A	A	A	P
Kendrick, James M. ....	6	P	P	A	P	P	P	P
Kendrick, John F. ....	6	P	P	P	P	P	P	P
Kerstein, Edward .....	6	P	P	A	P	A	P	P
Kickham, John W. ....	2	P	P	P	P	A	P	P
Kilgallon, John P. ....	4	A	A	A	A	A	A	A
Kline, Joseph A. ....	7	P	P	A	A	A	A	P
Konstadt, Sanford .....	7	P	P	P	P	P	P	P
Kopelman, Leonard .....	1	P	P	P	P	P	P	P
Korisky, Eli .....	8	A	A	A	A	A	P	P
Kramer, Robert .....	6	P	P	P	P	P	P	P
Lamphier, Joan B. ....	7	P	P	P	P	P	P	P
Landau, William .....	9	P	P	P	P	P	P	P
Larkin, Thomas F. ....	AL	P	P	P	P	P	P	P
Larkin, Thomas F. ....	11	P	P	P	P	P	P	P
Leboff, Harvey A. ....	8	P	P	P	P	P	P	P
Lee, Richard M. ....	1	A	A	A	A	A	P	P
Leland, Lawrence S. ....	1	*	*	*	*	*	A	P
Lepler, Gerald H. ....	12	P	P	P	P	P	P	P
Levensohn, James .....	7	P	P	P	P	A	P	P
Levin, Ethel A. ....	1	P	P	P	P	P	P	P
Levison, Bernard L. ....	6	P	P	P	P	P	P	P



NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Levy, Maurice W. ....	8	P	P	P	P	P	P	P
Lincoln, Robin .....	11	A	A	A	A	A	P	P
Linden, Milton .....	12	P	P	P	A	A	A	P
Linsky, Martin A. ....	AL	P	P	P	P	P	A	P
MacDermid, Kenneth N. ....	5	P	P	P	P	P	P	P
Mamis, Gretchen .....	7	P	P	P	P	P	P	P
Mangiaracine, Anita B. ....	8	P	P	A	P	A	P	P
Manning, Charles W., Jr. ....	4	P	P	P	P	P	P	P
Marks, Harry L. ....	12	P	P	P	P	P	A	P
Mason, Alexander .....	10	P	P	P	P	A	P	P
Maxon, Charles L. ....	4	P	P	A	A	A	A	A
McClure, Diana L. ....	3	P	P	P	P	P	P	A
McCone, Francis E. ....	5	P	P	P	A	A	P	P
McElroy, John P. ....	5	P	P	P	P	P	P	P
McNally, Raymond T. ....	3	P	A	P	A	P	P	P
Meaney, Francis X. ....	7	P	P	P	P	P	P	P
Medoff, Arthur A. ....	2	P	P	P	A	A	A	P
Medoff, Marshall .....	7	P	P	A	P	A	P	P
Meister, Melvin .....	9	P	P	P	P	P	P	P
Michelson, George .....	9	P	P	P	P	A	P	P
Michelson, Morris .....	9	P	A	A	A	A	A	P
Milton, Bernard R. ....	2	P	P	P	A	A	A	P
Moore, John T. ....	5	P	P	A	P	A	A	P
Moran, Thomas F. ....	5	A	A	A	A	A	A	P
Morse, Alan R. ....	1	P	P	A	A	A	P	A
Morse, J. Robert .....	1	A	A	A	A	A	P	P
Muldowney, Edward O'Hearn ....	AL	A	A	A	A	A	A	A
Murphy, John E. ....	4	A	A	P	P	P	P	P
Murphy, John E., Jr. ....	4	P	A	A	A	A	P	P
Myerson, Eleanor .....	AL	P	P	P	P	P	P	P
Nevergelt, Neil A. ....	AL	P	P	P	P	P	P	P
Noah, Albert S. ....	8	P	P	P	P	P	A	A
Norman, Myron .....	9	P	P	P	P	P	P	P
Norris, William F., Jr. ....	4	P	P	P	P	P	P	P
Norton, Francis T. ....	5	P	P	P	P	P	P	P
Novack, Jack M. ....	2	P	P	P	P	P	P	P
Novakoff, Edward .....	6	P	P	P	P	A	A	P
O'Reilly, J. Archer, III .....	8	P	P	P	P	P	P	P
Ostroff, Isadore .....	8	P	P	P	P	P	P	P
Paley, Bertram R. ....	11	P	P	P	A	A	P	P
Parker, Gerald S. ....	6	P	P	P	P	P	A	P
Partan, Daniel G. ....	3	P	P	P	P	P	P	P
Patt, Gloria .....	8	P	P	A	A	A	A	P
Peters, Edward T. ....	5	P	P	P	P	P	P	P
Pierce, Peter C. ....	11	P	P	A	P	P	P	P
Powers, James F. ....	3	P	P	P	P	P	P	P
Rabb, George L. ....	1	P	P	A	P	P	P	P
Rabinovitz, Barbara S. ....	12	P	P	P	P	P	P	P
Racicot, Joseph T. ....	5	P	P	P	P	P	P	P
Reed, Alette E. ....	7	P	P	P	P	P	P	P
Reed, John M. ....	7	P	P	P	P	P	P	P
Robbins, Michael .....	1	P	P	P	P	P	P	P
Roberts, Matthew .....	10	P	P	P	P	P	P	P
Robins, Myron .....	2	P	P	P	P	P	P	P
Robinson, Joseph .....	3	P	P	P	P	P	P	P

NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Robinson, Thomas C. ....	4	P	P	P	P	P	P	P
Ross, Norman C. ....	3	P	P	P	P	P	P	P
Rubin, Leon ....	2	P	P	P	P	P	P	P
Rudginsky, Harold D. ....	3	P	P	P	P	A	P	P
Rudnik, Jean P. ....	6	P	P	P	P	A	P	P
Rudnik, Ralph P. ....	6	P	P	P	P	A	P	P
Ryack, Phyllis G. ....	1	P	P	P	P	P	P	P
Sadowsky, Ethel S. ....	10	P	P	P	P	P	P	P
Saloman, Esther G. ....	9	P	P	A	P	P	P	P
Saltis, Andrew P. ....	8	P	A	P	P	P	P	P
Salzman, Freda ....	8	P	P	P	P	P	A	P
Sapers, Carl M. ....	10	P	P	P	P	P	P	P
Sargon, David I. ....	7	A	A	A	A	A	P	P
Sargon, Joseph I. ....	9	P	A	P	P	P	A	P
Schwartz, Henry ....	8	P	P	P	P	A	P	P
Segel, James ....	10	P	P	P	P	P	P	P
Selib, Michael S. ....	12	P	P	P	P	A	P	P
Shain, Rose W. ....	2	P	P	P	P	P	P	P
Shaw, Francis G. ....	11	A	A	P	P	P	P	P
Shaw, Samuel E., II ....	5	*	*	*	*	*	P	P
Shea, Maurice P., 3rd ....	4	P	P	P	P	P	P	P
Shindell, Earl ....	1	P	P	P	P	A	P	P
Shivek, Herbert L. ....	12	P	P	P	P	P	P	P
Shubow, Lawrence D. ....	7	P	P	P	P	P	P	P
Shuman, Stanley ....	7	P	P	P	P	P	P	P
Sidd, Allan ....	9	P	P	P	P	P	P	P
Silver, Archie ....	8	P	P	A	P	P	P	P
Silverman, Albert A. ....	8	P	P	A	P	P	P	P
Smith, Judith A. ....	9	P	P	P	P	P	P	P
Smith, William F. ....	4	P	P	P	P	A	A	A
Sneirson, Lester S. ....	8	P	P	A	P	P	P	P
Snyder, Abraham ....	9	P	P	P	P	P	P	P
Sorenson, Mayno R. ....	3	P	P	P	P	A	P	P
Speen, Bernice R. ....	8	P	P	P	P	P	P	P
Splaine, Elizabeth M. ....	5	P	P	P	P	P	P	P
Stanbury, Jean C. ....	11	P	P	P	P	A	A	P
Stearns, Stanley ....	12	P	P	P	P	P	P	P
Stein, Edna L. ....	10	P	P	P	P	P	P	P
Stein, Robert M. ....	2	A	A	P	P	P	P	P
Stern, Meyer ....	2	A	A	A	A	A	A	P
Stokes, Robert W. ....	6	P	P	P	P	P	P	P
Stolow, Benjamin ....	8	P	A	A	A	A	P	A
Stone, Judah M. ....	6	P	P	P	P	A	P	A
Strauss, Ferdinand, II ....	1	P	P	P	P	P	P	P
Sturdy, Robert H. ....	11	P	P	P	P	P	P	P
Summerfield, Martin A. ....	7	A	P	P	P	P	P	P
Swartz, Julius ....	3	P	P	P	P	P	P	P
Tovish, Marianna ....	7	A	A	A	A	A	A	P
Tyler, Roger B. ....	AL	*	*	*	*	*	A	P
Vengrow, Jerrald M. ....	9	P	P	P	P	P	P	P
Wacker, Ann M. ....	3	P	P	P	P	P	P	P
Waldstein, Jean B. ....	AL	P	P	P	P	P	P	P
Wallace, Sara K. ....	6	P	P	P	P	P	P	P
Ward, Thomas J. ....	4	A	A	A	A	A	A	A
Wasserman, Abraham ....	9	P	P	P	P	P	P	A

NAME	PRECINCT	3-24	3-25	3-31	4-1	4-2	6-16	9-29
Weiner, Stephen .....	3	P	P	P	P	P	P	P
Weintraub, Howard .....	12	P	P	P	P	P	P	P
Welch, James O., Jr. ....	11	P	P	P	P	P	P	P
White, Dan S. ....	7	P	P	P	P	P	P	P
Wilson, John N. ....	4	P	P	P	P	P	P	P
Wolff, Richard .....	10	P	P	P	P	P	P	P
Wyner, Justin L. ....	AL	P	P	P	P	P	P	P
Zanditon, Mildred L. ....	12	P	P	P	P	P	P	A
Zdanovich, Joseph .....	5	P	P	P	P	P	P	P
Zimmerman, Abraham J. ....	2	P	P	P	P	P	P	P
Ziskend, Seymour A. ....	3	A	A	A	A	A	P	P
Zoll, Philip S. ....	9	P	P	P	P	P	P	P
Zuckerman, Natalie G. ....	6	P	P	P	P	P	P	P

AL - At Large Members

A - Indicates Absent

P - Indicates Present

\* - Not a member on date of meeting



## PURCHASING DEPARTMENT

EDWARD F. CLASBY, *Purchasing Agent*WILLIAM R. KELLY, *Assistant Purchasing Agent*

A statistical summary and comparison with 1969 is as follows:

	1969	1970
Department Requisitions Received and Processed .....	7,564	8,396
Purchase Orders Issued .....	13,216	13,326
Total Value of All Purchases .....	\$1,911,481.00	\$2,261,194.00
Total Value of All Purchases from Brookline Vendors .....	\$ 89,165.00	\$ 97,573.00
Total Cash Discounts available on Total Purchases .....	\$ 7,246.00	\$ 6,600.00
Formal Yearly Contracts .....	24	24
Total Value of these Contracts .....	\$ 486,305.00	\$ 572,790.00
Advertised Bids for Purchases exceeding \$2,000. ....	104	109
Total Value of these Purchases .....	\$ 628,905.00	\$ 808,413.00
Total Value of Purchasing Stores Sales and Transfers .....	\$ 8,274.00	\$ 9,149.00

Monthly Orders issued for Emergency Parts and a comparison with 1969:

	1969	1970
Requisitions and Purchase Orders Issued	251	231
Purchase Requisitions Issued to Vendors	1,107	1,326
Total Value of Purchase Orders Encumbered	\$25,125.00	\$30,800.00
Actual Value of Purchases .....	\$18,041.00	\$26,629.00

Inflationary markets continued to dominate the economy throughout the year, resulting in higher prices for the majority of items purchased. Extraordinary increases were posted in fuel prices due to the well publicized oil shortage and conversion to the 1% maximum sulfur fuel required by air pollution control regulations.

All Invitations to Bid advertised by the Purchasing Department now make reference to the By-Law of the Town relating to non-discrimination in employment. The full text of the appropriate sections of the By-Law is also being included with every sealed bid sent out.

MAJOR FORMAL OPEN END CONTRACTS and a comparison with 1969:

	1969	1970
Fuel Oil .....	\$116,349.00	\$139,208.00
School Lunch Food .....	126,930.00	137,140.00
Gasoline, Motor Oil and Greases .....	68,420.00	70,463.00
Road Materials .....	64,216.00	99,687.00
Police and Fire Clothing .....	34,900.00	54,445.00
Fertilizer and Grass Seed .....	5,810.00	6,779.00
Laundry Rental and Service .....	23,509.00	25,700.00
Fluorescent and Incandescent Lamps .....	5,504.00	5,020.00
Duplicator Paper .....	17,532.00	12,554.00
Tires, Tubes and Retreads .....	10,788.00	12,120.00
Printing .....	5,172.00	5,730.00
Typewriter Maintenance .....	1,785.00	2,448.00
Machine Dishwashing Compounds .....	5,390.00	1,496.00
	<u>\$486,305.00</u>	<u>\$572,790.00</u>

MAJOR ADVERTISED SINGLE TRANSACTION PURCHASES and the value:

School Supplies and Equipment .....	\$197,823.00
Trucks and Motorized Equipment .....	164,473.00
Library Furniture and Supplies .....	118,555.00
Trees, Plants, and Horticultural Supplies .....	42,642.00
Athletic Supplies and Equipment .....	41,427.00
Water Distribution Supplies and Equipment .....	36,222.00
Passenger Vehicles .....	31,984.00
School and Office Furniture .....	28,459.00
Fire Apparatus and Equipment .....	22,409.00
Printing .....	21,977.00
Playground Equipment .....	19,765.00
Office Machines and Equipment .....	17,276.00
Parking Meters .....	13,434.00
Radio Equipment .....	12,417.00
Library Subscriptions .....	10,945.00
Castings .....	9,631.00
Police Supplies and Equipment .....	8,650.00
Unclassified .....	10,324.00
	<u>\$808,413.00</u>

TRUSTEES OF WALNUT HILLS CEMETERY

ROGER B. TYLER, *Chairman*  
RUSSELL H. MANN, JR.  
SIMON P. TOWNSEND  
ERNEST R. CAVERLY  
RUSSELL HASTINGS  
LUCIUS T. HILL

HERBERT B. FISHER, *Superintendent*

A complete report of the receipts and expenditures of this department will be found in the reports of the Comptroller and the Treasurer.

The lawns, trees and drives of both cemeteries were given their usual care and attention.

A new 72 inch power mower was purchased replacing one which has been in service since 1958.

A new tractor with backhoe, snow and dirt loader was purchased during the year which has resulted in a considerable saving to the Town.

The following are the details of the usual work at Walnut Hills Cemetery during the year:

Number of lots sold .....	8
Number of single graves sold .....	53
Number of interments .....	132
Removals from cemetery .....	2
Monuments and boulders set .....	9
Headstones and markers set .....	33
Total interments in cemetery to date .....	7,183
Total lots sold to date .....	824
Total single graves sold to date .....	2,740

There were no interments in the Old Brookline Cemetery this year.



## PERSONNEL BOARD

HORACE E. LITTLE, *Chairman*

ALFRED H. ROSENTHAL

DAVID D. COCHRANE

FRANCIS J. O'BOY

PHILLIP S. JACKSON

GERARD J. HAYES, *Secretary*

Mr. Francis X. Flannery completed his term on the Board in May and was unable to accept reappointment due to the pressures of his professional responsibilities and other community commitments. His service to the Board and to the Town as a member and as Chairman was outstanding and the Board is grateful to him for his many contributions. Mr. John A. Coffey was unanimously elected Chairman in May, but found it necessary to resign from the Board in September due to the pressures of his business commitments. While a member of the Board only for a short time, Mr. Coffey gave generously of his time and his talents and the Board is grateful to him for his service.

Mr. Horace E. Little was unanimously elected Chairman in September. Mr. David D. Cochrane was reappointed to a full term in May. Mr. Francis J. O'Boy was appointed in September from a list of employee nominees to replace Mr. Flannery. Mr. Phillip S. Jackson was appointed in November to fill the unexpired term of Mr. Coffey.

The 1970 Annual Town Meeting approved all of the Personnel Board's recommendations for changes in the Personnel By-Law and Pay and Classification Plans arrived at through collective negotiations with employees. In addition, the Town Meeting approved a new article in the Town By-Laws which permits the appropriation of not more than \$1,500 annually for expenditure by the Personnel Board when necessary for the purpose of furnishing information to Town Meeting Members and to residents on warrant articles relating to wages, hours and working conditions of Town employees. The Annual Town Meeting did not approve a proposed amendment to the Personnel By-Law which would have required a two-thirds vote of the Town Meeting to amend votes on warrant articles proposed by the Personnel Board and Board of Selectmen unless the changes were approved by the aforementioned Boards, in which case a majority vote would be sufficient. The purpose of the proposed amendment was to provide a mechanism to compensate, in part, for the lopsided bargaining or lobbying power of the employee unions. The matter was referred to a Moderator's Committee for study and will be reported on at the 1971 Annual Town Meeting.

The Board supervised and reviewed a study conducted by the Personnel Office of all positions included in the Labor Classifications Schedule and the

General Classifications Schedule of the Classification and Salary Grade Plan. The study produced a voluminous amount of data which will be tremendously helpful to Department Heads as well as the Board in classification and salary matters.

Collective bargaining with employee unions has proceeded smoothly this year. Negotiations are not complete as of this date since the Personnel Board, after discussions with the Moderator's Committee on Article 5, the employee unions and the Selectmen, determined that bargaining should not be halted or pushed to a premature impasse situation so far in advance of the Annual Town Meeting as the usual December 31 deadline. It is believed that this modification of past practice will be beneficial to all parties and will substantially improve the chances of successfully determining employee wages, hours and working conditions through collective bargaining.

## COMMITTEE ON TOWN ORGANIZATION AND STRUCTURE

HANNAH C. LEVIN, *Chairman*

ROY H. BROWN

\*JANE FALK

\*\*JOAN FRIED

BENJAMIN H. LACY

JAMES W. NOONAN

\*FRANKLIN WYMAN, JR.

\*\*ABRAHAM J. ZIMMERMAN

There has been further implementation of the Committee's report of 1968 on the operation of the Board of Selectmen. Steps have been taken to allow more time for policy matters by transferring some routine duties and by changing meeting schedules and procedures. Provision has been made for quarterly review of all projects approved by Town Meeting, for more conferences with department heads and legislators, and to allow more time for discussion of annual appointments.

Other studies undertaken at the request of the Board of Selectmen or of the Moderator were:

- (1) Review of proposed changes in operation of Town Meeting (article 39 of the warrant). Recommended further study.
- (2) Consideration of two Town Meetings annually. Approved unanimously.
- (3) Review of report of Committee to study the Town's Protective Services, insofar as it relates to the establishment of a Public Safety Commission. Approved unanimously.

\*Term expired April 30, 1970

\*\*Appointed May 1, 1970

## RENT REVIEW AND GRIEVANCE BOARD

CARL M. SAPERS, *Chairman, Public Member*  
 MARION E. DUBBS, *Tenants' Representative*  
 LEONARD S. GREEN, *Landlords' Representative*  
 FRANK E. RYAN, *Town Assessor*  
 ROBERT J. STEWART, *Building Commissioner*  
 EDMUND M. HURLEY, *Public Member*  
 STEPHEN M. WEINER, *Public Member*  
 NORMAN C. ROSS, *Director-Counsel*

## I

On June 18, 1970, the Supreme Judicial Court of Massachusetts declared the Rent Review and Grievance Board unconstitutional. In the words of R. Ammi Cutter, the court said,

"[W]e hold that §7(5) [of Article 89 of the Amendments to the Constitution of the Commonwealth — the 'Home Rule' Amendment] prevents the adoption of local rent control by-laws in the absence of an explicit delegation to municipalities by the Legislature of power to engage in such regulation of the landlord-tenant relationship." *Marshall House, Inc. v Rent Review and Grievance Board*, 1970 Adv. Sheets 1031, 1041, 260N.E.2d.200, 207 (1970).

Guarding against such a decision the Rent Review and Grievance Board had drafted special enabling legislation to allow the Town to regulate rents. Thus, two days before the decision, the Town Meeting on June 16, 1970 voted to petition the Legislature to enact what is now Chapter 843 of the Acts of 1970.

From its inception on September 18, 1968 to its dissolution on June 18, 1970, the Rent Review and Grievance Board heard 95 cases.

## TYPE OF CASE

Multi-unit buildings .....	60
Non-owner-occupied two and three family buildings .....	12
Owner-occupied two and three family buildings .....	22
Single family houses .....	1

## DECISIONS INVOLVING RENT REDUCTION

Multi-unit buildings .....	31
Non-owner-occupied two and three family buildings .....	7
Owner-occupied two and three family buildings .....	11
Single family houses .....	0



The powers of the Board were expanded at the Town Meeting of June 24, 1969, and below are more detailed descriptions of the cases undertaken after that date. (Information given here supplements the 1969 Annual Report.)

Of the 61 cases (affecting 420 rental units) heard by the Board after June 24, 1969, 35 cases (128 units) involved orders for rent reductions, and in 28 of these cases the landlords complied with the Board's orders. The other 7 cases are summarized as follows.

The landlord of a 55-unit building attempted to enjoin enforcement of the Board's order, and the resulting legal situation was sufficiently muddled that some tenants continued to pay the higher rent while others paid the lower. In a similar case involving only one tenant, the Board and the tenant agreed that the difference between the amount the landlord demanded and the amount set by the Board would be held in escrow pending the Supreme Court decision, after which it was turned over to the landlord. Another landlord avoided the Board's order by obtaining a permit to divide the apartment and then evicting the tenant. In another eviction attempt (heard in the District Court), the landlord eventually complied — at least partially — with the Board's order for a rent reduction. Finally, one tenant left because he could not even afford the rent set by the Board and another left because she couldn't tolerate the unpleasant relations with her apartment manager. In 16 other cases affecting 16 units, the Board found that the rents were not unfair or unreasonable.

In 3 cases affecting 19 units, the Board ordered repairs and the landlord complied; and in one case affecting 31 units, the Board ordered that the tax burden of the tenants be reapportioned and the landlord also complied.

In two cases affecting 74 units, the Board set average rents; one of the landlords complied and the other was working toward compliance.

And finally, in a case involving 30 units whose tenants were threatened with evictions, the Board ordered the evictions rescinded and scheduled the case for hearing. The landlord rescinded the evictions and then brought suit to enjoin the Board from holding the hearing. His suit was unsuccessful, but after the Board was declared unconstitutional he went ahead with the evictions.

## II

The Rent Review and Grievance Board Staff handled the litigation involved in the enforcement of the Town's Zoning, Building, and Health codes, particularly in the enforcement of the unrelated persons by-laws. Forty-one prosecutions were brought under the new law.

### DISPOSITIONS OF PROSECUTIONS

In the District Court:

Not Guilty .....	6
Guilty .....	18

Dismissed with consent of Town .....	11
Filed or continued without a finding .....	6
Total prosecutions .....	41
Number of guilty findings appealed to Superior Court .....	13

#### In the Superior Court:

(The Counsel for the Board was appointed a special District Attorney for these cases)

Appeals dropped and fines paid .....	6
Continued without a finding and dismissed .....	2
Now pending .....	5

Prompted by numerous citizen complaints about lax enforcement, in June and July the Town also conducted a saturation inspection of two precincts to determine the extent of compliance with the by-laws. Following are the results of the inspection.

#### Precinct 1

Total Number of Housing Units .....	1988
Total Number of Families .....	907
*Total Number of Registered Units .....	94
Total Number of Legal Unrelated Occupancies (two or less) ....	959
Total Number of Units Under Investigation (possible violations) .....	28

#### Precinct 7

Total Number of Housing Units .....	1788
Total Number of Families .....	1050
*Total Number of Registered Units .....	32
Total Number of Legal Unrelated Occupancies (two or less) ....	675
Total Number of Units Under Investigation (possible violations) .....	31

Furthermore, two injunctions were sought by the Town against two landlords for multiple violations. These landlords then sought an injunction of their own to prohibit enforcement of the by-laws, but were unsuccessful. Eventually the three injunction suits were consolidated and tried in November before Superior Court Justice Harry Kalus, who found the by-laws unconstitutional. Judge Kalus ruled that "[t]he by-laws represent an attempt to discourage students, single persons and all other unrelated people from living in Brookline."

Other than cases under the unrelated persons by-law, the Grievance Board brought two landlords to court for unkempt property, a third to court for failure to supply heat, and a fourth for having a three-family house in a two-family zone.

\*Three or four unrelated people already living together at the time the law was passed were permitted to continue doing so after registration with the Building Department.

Several unsuccessful prosecutions were brought to enforce a decision of the Board of Appeals restricting occupancy to families only at 1774 Beacon Street. The matter is being pursued in the Superior Court where the Town has won the initial round.

On two other matters the Board was successful in solving code enforcement problems by implementing the rent withholding statute and rent receivership statute. In one case where the landlord was not supplying heat the Board made available to the tenants a rent withholding certificate. In the other case where the landlord had numerous violations he refused to correct, the Town brought a petition in the Superior Court to put the property into receivership. However, the landlord soon complied, and the Town did not have to follow through.

In most cases, however, compliance was achieved on an administrative level in conjunction with the Building and Health Departments.

The remainder of the Rent Review and Grievance Board's 1970 appropriation was used to fund the Rent Control Board for the balance of 1970.

## RENT CONTROL BOARD

STEVEN J. COMEN, *Chairman, Tenants' Representative*

ELIOT CONVISER, *Landlords' Representative*

MARSHALL A. DANA, *Landlords' Representative*

MARION E. DUBBS, *Tenants' Representative*

BRIAN FRAWLEY, *Public Member*

GEORGE F. MCNEILLY, *Public Member*

EDWARD L. WEISBERG, *Public Member*

NORMAN C. ROSS, *Director-Counsel*

The Rent Control Board came into being as a result of two acts signed by the Governor on August 31, 1970. Chapter 842 of the Acts of 1970 enables all cities and any town with a population of 50,000 or more to regulate the rents of multi-unit apartment buildings. Chapter 843 of the Acts of 1970, which relates only to the Town of Brookline, gives the Town — in general terms — the authority to control rent through Town by-laws. In particular, Chapter 843 permitted the Town of Brookline to adopt a rent control by-law for owner-occupied 2 and 3 family homes.

On September 29, 1970, a Town Meeting voted to adopt Chapter 842 (the general rent control law) and Article XXX of the Brookline by-laws (rent control for 2 and 3 family owner-occupied homes), and also appropriated a small amount of money (\$7500, transferred from the appropriation for the Rent Review and Grievance Board) for the operating expenses of a Rent Control Board. Chapter 842 went into effect 30 days after its adoption, on October 29, 1970; Article XXX was signed by the Attorney General on October 8 and became effective on October 21, 1970.



On October 20, the Board of Selectmen appointed the above-named members to the Rent Control Board, which held its first meeting on October 23. Four days later the Board elected Steven J. Comen permanent Chairman; Eliot Conviser, Vice-Chairman; and Marion Dubbs, Public Relations Representative and liaison to the Department of Community Affairs, Bureau of Rental Housing.

Like the Rent Review and Grievance Board, the new Rent Control Board was immediately mired in litigation. On October 28, Judge Frank W. Tomasello issued a temporary restraining order against the Board, prohibiting them from enforcing Chapter 842. This restraining order was converted into a preliminary injunction by Judge Francis J. Good on November 4, and on November 9 Judge Good similarly enjoined the Board from enforcing Article XXX.

During this period of 'restraint,' the Board continued to meet and discuss policies, procedures, and staffing, but little information could be released to the public. Because of the great confusion about the status of the laws, the Board of Selectmen set up a temporary information center to handle the numerous phone calls and visits. The information gap was also partly mitigated by extensive coverage of the situation in the Brookline Chronicle Citizen, which continues to serve as a major vehicle of communication between the Board and the public.

On December 4, 1970, Supreme Judicial Court Justice R. Ammi Cutter modified the preliminary injunction applicable to multi-unit buildings (Chapter 842) and thus enabled the Board to begin distributing information, processing petitions, holding hearings, making investigations, and formulating regulations. Although the modified injunction still denied the Board power to enforce their regulations, it did permit the Board to act on eviction cases and thus, to provide some measure of security for tenants paying at the rolled-back rent levels specified by the law. That same day, December 4, the Board issued emergency regulations and gave notice of public hearing on these regulations, scheduled for January 20 and 21, 1971. On December 6 the Board issued a statement interpreting the modified injunction and inviting tenants and landlords to begin using the Board's services. The injunction applicable to the by-laws was likewise modified by Judge DeSaulnier on December 14 and similar emergency regulations were issued on the 21st.

The effect of the two injunctions was, of course, to aggravate the already strained relations between many tenants and landlords, who found themselves in the absurd situation of being governed by a law that could not be enforced. After the injunctions were modified, the Board began to clear away accumulated misconceptions and to carry out — as far as possible — their rightful functions. In spite of the continued limitations on their power, the Board remained hopeful that an imminent decision by the State Supreme Court would finally enable them to enforce rent control in Brookline.

## YOUTH RESOURCES COUNCIL

JAMES A. STEWART, PH.D., *Director*

1970 was the first year of operation of the Division of Youth Resources which was established by a vote of Town Meeting in March, 1969. The Division, which operated on a budget of \$68,974 (half of which was reimbursed by the Commonwealth of Massachusetts) had three full-time employees and eight part-time workers. The full-time employees were the director, a female detached social worker and a secretary-stenographer. The part-time workers consisted of a project initiator, a drug research assistant, a jobs for youth coordinator, a drop-in center coordinator and four part-time youth workers. The last named group were of the drop-in center.

During the year, the Board of Selectmen approved the by-laws of the Division which established two councils. The Youth Resources Council was to consist of fifteen appointed adults and five nominated youth from the Youth Advisory Council. The Youth Advisory Council was to be made up of representatives from the various public and private schools in the community together with a number of youth who were no longer attending school or who were beginning their college programs. Both councils were given important advisory roles.

In this initial year of operation, there were a number of developments that warrant specific mention.

### 1. DETACHED YOUTH WORKER PROGRAM

The one full-time female youth worker had an intensive workload of 37 girls and 14 boys during the year. These 51 individuals who were seen at least once a week and frequently almost on a daily basis, ranged in age from fourteen to twenty years, and came from every section of the community.

They also represented various socio-economic levels and ethnic groups. The presenting problems were drugs, pregnancies, school drop-outs, stealing, sexual acting out, runaways, school adjustment problems, job difficulties, family problems and arrests. Of the 51 youth who were seen on a continuous basis, 36 of them (26 females and 10 males) were involved in the drug scene. Their involvement ranged from weekend smoking of marijuana to heroin addiction. A few of them had been using barbiturates, speed and acid.

The reader might appreciate the types of problems presented by these youths if he were to examine representative file cards which give such information. The major problems on ten of the fifty-one cards were as follows:

1. Female, 17 years old; minor drugs, personal — mother communications, school drop-out, jobs.

2. Female, 18 years old; school truancy, drop-out, drugs, no job, poor communication with mother, left home April, 1970.
3. Female, 18 years old; home and family problems, stubborn child 1967, drugs, pregnancy, therapeutic abortion, shoplifting, school.
4. Male, 20 years old; drugs (heroin addict), no job, no room.
5. Male, 17 years old; personal — school, peers.
6. Female, 17 years old; personal — poor relationship with mother, school — truancy, then drop-out; drugs, jobs.
7. Male, 18 years old; drugs, school drop-out, emotional disturbance.
8. Female, 17 years old; school attendance, family relationships.
9. Female, 17 years old; school, drugs, family.
10. Male, 18 years old; no job, no place to live, drugs.

## 2. JOBS FOR YOUTH

Everyone appreciates that 1970 was a year of high unemployment in the nation, but, nonetheless, the record of the jobs for youth programs was very impressive. A total of 246 youth were placed in part-time or full-time employment as a consequence of using this service of the Division. Most of these youth placed were 17 or 18 years of age.

Of the 111 females placed, 25 were assisted in finding jobs as hospital aides or nurses aides, 15 as waitresses and 13 in various office functions. Others were assisted in finding work as salesgirls, receptionists, cashiers, baby-sitters and other comparable occupations. Of the 122 males who were assisted in their employment efforts, 25 were placed as bundle boys, 23 as stock boys and 11 working as warehouse attendants. Additionally, boys were also placed in hospitals as orderlies or porters and in gardening tasks as well as gas station attendants.

## 3. YOUTH CENTER

During 1970, the Division operated a youth center in leased space in the basement of St. Mark's Church for two months, and in free space in the Pierce Elementary School gymnasium for one month. The program in St. Mark's Church, which consisted of social experiences, rap sessions, ceramics, games and food, attracted an average of 51 young people a night each Wednesday and Thursday, and customarily attracted 70 or 80 on Friday evenings.

The Center program that operated during the month of July from the Pierce Elementary School gymnasium added Saturday offerings to the previous schedule. The ages of those who attended shifted downward. Additionally, fewer girls came to the facility because they did not seem to particularly desire a gymnasium location. Both facilities had to be vacated to accommodate the needs of the school department.



After several false starts the Division was able to negotiate a lease for a youth center at 320 Washington Street. At the time of the preparation of this report, the youth center which was officially opened on December 15, had only been in session for some five nights. Although it is in a new location and although adverse weather conditions have prevailed, the attendance has been most gratifying. From 60 to 100 young people have been coming to the center between the hours of 3 and 11 p.m., from Tuesdays through Saturdays.

The availability of excellent space and the assurance of permanency both represent encouraging developments. The staff, the volunteers and the youth now have an opportunity to work to develop an outstanding youth center. One anticipated difficulty, namely, petty vandalism, has arisen but this was resolved by appropriate youth and staff response. A drive is under way within the Youth Resources Council to secure needed furnishings.

#### 4. HOT LINE

On December 21, 1970, after several months of preparation, the Brookline Hot Line service began, sponsored by the Youth Resources Council and is located in the youth center at 320 Washington Street. For three months prior to the offering of the service, the 30 youthful (17 to 22 years of age) operators and the 30 adult aides had been involved in weekly training sessions. Additionally, a force of 30 professionals had been recruited to serve as a back-up to those who would be actually answering the phone. The groups have been divided into 7 teams, one team for each evening of the week. On a typical night, 3 operators and 2 adults will be in attendance at the hot line area and one professional will be at home to answer calls in the event of true emergencies. All calls, both incoming and outgoing, are recorded. The caller and the operator are both guaranteed anonymity and no third party listens to the call. The log books are kept in a manner which assures the caller of absolute confidentiality. The details with respect to the reason for the call, the sex of the caller, the time of the call and the disposition of the call are maintained for in-service training purposes, but no other information that would identify the caller is recorded.

An active publicity campaign will be launched when the schools open the first week in January. The service will be offered nightly from 7 to 11 p.m. and until 1 a.m. on Friday and Saturday evenings. During the first week the service was in operation, there were a number of hot line related calls and a few authentic callers who were seeking a personal opportunity to discuss something with one of the operators.

#### 5. DOCUMENTARY FILM

Commencing in September, 1969, Mr. Gary H. Grossman and Mr. C. Chapin Cutler, two seniors at Emerson College, began the preparation of a documentary for the Division of Youth Resources.

Their 30-minute colored documentary film entitled, "You Don't Chew Pot" has been completed and has been reviewed by the Board of Selectmen.

Town Counsel has expressed concern regarding the legal implications of a simulated pot-smoking scene, even though all participants are over 21 years of age and have signed release forms relieving the Town of any legal obligations, and even though the filmmakers have signed an affidavit before a Notary Public stating that it is a simulated pot scene and that marijuana was not used. It appears at the time that this report was being dictated, that the insertion of the word "Dramatization" has resolved the deadlock. It is to be shown to the public at a series of announced dates in the Brookline Public Library and eventually it may be shown by WBZ Channel 4. Following the showing of the film in the community, the Director is prepared to discuss matters related to the film's content with the audience. This was the primary objective in preparing the film.

#### 6. DAY CARE

A number of leading citizens in the community, with the assistance of the Project Initiator from the Division of Youth Resources, succeeded in establishing a first-rate day care service in Brookline in October of 1970. One of the important contributions the project initiator made to the group's effort was to act in a liaison capacity with the incorporators of the center and the welfare officials of the Commonwealth. Through her good offices, a contract was negotiated between the two parties which provides for a minimum of 10 welfare recipients being cared for in the program on a regular full day basis plus additional youngsters on a part-time after school basis. Although the Division's involvement in the project has been considerable, and it is our expectation to continue to cooperate with this group and any other group attempting to establish day care services in the community, the effort is totally defensible because we are involving parents on welfare.

Research evidence supports the contention that unless the children of welfare recipients are given every opportunity to succeed in society they may be numbered eventually among the delinquents in a number disproportionate to the absolute number in the community. One does any individual family on welfare a disservice if he associates being poor with being delinquent prone but one cannot, however, contest the overwhelming evidence that poverty is a precursor of delinquency and crime in America.

The Division receives more telephone inquiries regarding day care services than any other single problem in the community. In the first year we received over 500 inquiries from parents with children under 5 years of age. There is an enormous need for this type of service and we hope that many other equally promising day care services will ultimately be established in Brookline.

The major tasks of the Division as the year 1970 ends, are to consolidate the gains that have been made during the year, to increase the services of the Division within the reasonable limits of the staff and budget and to develop the services of the detached worker program. The Youth Resources Council considers, and the Director totally concurs, that the two most pressing issues are the effectiveness of the detached youth worker program and the success of the newly established youth center. The two matters are vitally interrelated.

On February 28, 1970, the Director presented a memorandum to the Board of Selectmen entitled, "The Detached Youth Worker Program of the Town of Brookline — An Evaluative Report with Certain Recommendations". As a result of that report the Director has now requested that as of May 1, 1971, the department staff be augmented by the addition of one full-time male youth worker and one full-time female youth worker. As the programs of the Division develop, it is becoming increasingly apparent that additional workers will be needed to handle the workload of those alienated youth who are coming to the Division seeking assistance.

It is now obvious that there are various sections of the community that need more attention than can be provided by one full-time female youth worker. Additionally, it is apparent that serious problems exist among the youth in the upper elementary grades and that this is an area which can only be neglected with great peril to the community. There is increasing evidence that drug experimentation is occurring among youngsters in the 6th, 7th, and 8th grades and these are areas that must be given immediate attention. And finally, there is abundant supportive evidence to argue that the parents of the alienated youth need more assistance than can be offered through our limited staff. Were the two requested workers to be employed, their job designations would be such that they would be afforded more opportunity to work in certain areas of the community, with certain age groups and with parents.

### SUMMARY STATEMENT

The year 1970 has been a growth year for the Division which means that there have been significant accomplishments and obvious frustrations encountered. The bulk of the community has supported the Council and the Division in its efforts as was overwhelmingly apparent at the public hearing on September 14, 1970. There has been a small vocal minority within the community which has been critical of the efforts of both the Council and the Division. Many individuals are still preoccupied with the drug menace and would have the Division exercise all of its talents and resources in that one channel.

Our philosophy within the Division is to make the alternatives to drug experimentation and abuse more attractive than the delusion that personal



understanding and group acceptance can come from "popping," "dropping," or "shooting." Any community, and this includes Brookline, that demonstrates it is committed to meeting the total needs of youth and to providing the personnel and facilities required to do so, is making a rational effort to prevent drug abuse.

Every service designed to assist school drop-outs, pregnant girls, delinquent youth, troubled adolescents, or anti-social young adults is truly a drug preventative service. While there are occasional exceptions, most drug abusers have had histories of personal and social maladaptation before seeking drugs as an outlet for their frustrations and anxieties. We will continue to work intensely with individuals who have a history of drug abuse, but our most noticeable contribution to the growing problem will be our effectiveness in these indirect or oblique attacks upon the menace.

## HUMAN RELATIONS COMMISSION

GEORGE L. BLACKMAN, *Chairman*  
WARREN H. DALZELL  
BERNARD E. EDELSTEIN  
AARON M. FEUERSTEIN  
HASKELL KASSLER  
GEORGE J. KATZ

SHIRLEY L. MCGARRY  
FRANCIS T. NORTON  
MANUEL SALTZMAN  
FRANCIS J. SEXTON  
MARSHALL J. SMITH  
LEDONIA WRIGHT

In accordance with recommendations submitted to the Board of Selectmen by the Committee on Urban Responsibilities in December, 1969, By-Laws were approved at the Annual Town Meeting in March, 1970, providing for the establishment of a Human Relations Commission. The Commission was to consist of twelve members, and was to be assisted in performing its duties by a full-time professional Director and such other staff as the Selectmen might deem advisable. The general duties of the Commission were to include:

1. The development of opportunities within Brookline and the metropolitan area, for those who are discriminated against and restricted by their race, color, national origin or ancestry, religion, sex or age, and the elimination of all and any barriers to their choice of jobs, education and housing; and
2. Increase communication across racial lines to destroy stereotypes, to halt polarization, end distrust and hostility, and create common ground for efforts towards public order and social justice; and
3. Increase the capacity of public and private institutions to respond to the problems of the disadvantaged so as to augment their power to deal with the problems that affect their own lives."

Among its specific duties, the Commission was charged with adopting guidelines, subject to the approval of the Selectmen, for an affirmative action program relative to Town employment practices as well as the employment practices of Town Contractors, and to administer the affirmative action program "with all appropriate departments and agencies of the Town" in accordance with provisions detailed in a further By-Law.

The By-Laws establishing the Commission and authorizing the inauguration of the affirmative action program did not become effective until June 22, 1970. On September 26 the Selectmen held a preliminary meeting with the Commissioners to advise them as to the manner in which it would be wise for the Commission to go about assuming its responsibilities. The Commission met for the first time October 2 and elected the Reverend George L. Blackman Chairman. Subsequent meetings were held on October 26, November 2, and December 1.

Due to the time of year at which the Commission was organized and first met, the drawing up of a budget for 1971 was perforce the first order of business. With only the experience of the Committee on Urban Responsibilities, whose professional staff had been dispersed months before, to serve as guide, and with no professional staff of its own to provide assistance to the Commission, this task was more-than-ordinarily difficult, and the Commissioners were very grateful for the help volunteered by Mr. Leary, and Mr. Charles and Mr. Thompson of the Selectmen's Office.

A task requiring equally careful thought was the drawing-up of a proper job description for the position of Director of Human Relations. The experience of similar Commissions or Councils throughout the country has shown that without a professional staff they become dead letters; but it has also shown that the degree and direction of their effectiveness are determined as much by the personality, prior experience and special interests of the staff as they are by the particular conditions obtaining in the community itself. The Selectmen and the Commission were agreed that applications should be requested from as widely-varied a field of qualified candidates as possible. With that in mind, a job description was composed with the valuable help of Mr. Hayes of the Personnel Office, and approved by the Selectmen for the widest possible circulation in December.



# Protection of Persons and Property

## POLICE DEPARTMENT

JAMES C. ROURKE, *Chief of Police*

### DEPARTMENT ORGANIZATION

Chief of Police .....	1
Captains .....	4
Lieutenants .....	6
Sergeants .....	14
Patrolmen .....	127*
School Traffic Supervisors .....	16
Cadets .....	2
Clerks .....	8**
Custodian .....	1
Matron — Part-time .....	1

\*1 Patrolman — Dog Officer

1 Patrolman working on parking meter maintenance

1 Patrolman on detached service — assigned to Traffic Director and Town Counsel

\*\*1 Clerk assigned to Municipal Court

### ARRESTS

Total Number of Arrests .....	848
Male .....	753
Female .....	95
Residents .....	299
Non-Residents .....	442
Resident Juveniles .....	52
Non-Resident Juveniles .....	55
Married .....	250
Single .....	598

### SUMMONS — COMPLAINTS

Total People Summoned .....	556
Male .....	435
Female .....	121
Total Court Complaints .....	1,404

### CAUSES OF ARREST

#### Crimes Against the Person:

Accosting and Annoying .....	1
Assault and Battery .....	8
Assault on Police Officer .....	3
Assault on, Felonious .....	4
Assault on Female Child .....	1
Kidnapping .....	9
Manslaughter .....	3
Rape .....	4

Robbery, Armed .....	10
Robbery, Not-Armed .....	4
Unnatural Act .....	2
Larceny from the Person .....	5
Lewdness .....	2

Total Arrests Crimes	
Against the Person .....	56

### CAUSES OF ARREST

#### Crimes Against Property:

Automobile,	
Using without Authority .....	24
Breaking and Entering .....	24
Breaking and Entering, Attempt .....	7
Breaking and Entering and Larceny .....	33
Burglars Tools, Possession, having in .....	7
Counterfeit Passing .....	2
Larceny .....	61
Larceny, Attempt .....	3
Larceny of Automobile .....	29
Receiving Stolen Property .....	32
Selling Leased Property .....	2
Trespass .....	2
Uttering .....	2

Total Arrests for Crimes	
Against Property .....	228

**Crimes Against Public Order:**

A.W.O.L. Armed Services .....	1
Conspiracy .....	4
Disturbing the Peace .....	8
Disturbing a Public Assembly .....	1
Drunkenness .....	254
Escape from Prison .....	10
Firearms, Carrying without a License .....	1
Fugitive from Justice .....	3
Gaming, and Present at .....	2
Illegitimate Child Act, Violating ....	2
Indecent Exposure .....	3
Liquor Laws Violating .....	2
Motor Vehicles Laws, Violating .....	49
Narcotic Drug Laws, Violating .....	113
Neglect or Desertion of Family, Nonsupport .....	8
Operating under Influence .....	6
Promoting a Lottery .....	2
Rude and Disorderly Conduct .....	10
Runaways .....	12
Stubbornness .....	7
Violation of Town By-Laws .....	2
Violation of Conditions of Probation ..	1
Violation of Parole .....	6
Violation of Traffic Regulations .....	45
Weapon, Possession, Dangerous .....	11
Counterfeit License, Possession .....	1
<b>Total Arrests,</b>	
Crimes Against Public Order .....	564

**AUTOMOBILE THEFTS**

Automobiles Reported Stolen in Brookline .....	857
Automobiles Recovered by Department .....	305
Automobiles Recovered by other Departments .....	336
Total Automobiles Recovered .....	641
Percent of Stolen Automobiles Recovered .....	75%
Automobiles Recovered for other Departments .....	248
Bicycles Stolen .....	566

**MISCELLANEOUS SERVICES  
RENDERED**

Complaints Investigated (includes burglary, larceny, trespassing, noise, prowlers, etc.) .....	20,791
Details .....	3,846
Fingerprints, Civilians .....	148
Fingerprints, Prisoners .....	312
Licenses, Firearms Identification ..	111
Licenses, Hackney .....	748

Licenses, Liquor I.D. Cards .....	104
Licenses, Revolvers .....	200
<b>Motorized Equipment Response:</b>	
Cruising Cars .....	26,383
Safety Cars .....	9,923
Motorcycles .....	305
Wagon .....	252

**Notifications, from/to**

Burglar Alarms .....	3,247
Doctors, Emergency .....	12
Edison Company .....	142
Gas Company .....	21
Fire Department .....	750
Health Department .....	48
Highway Department .....	754
Medical Examiner .....	29
Park/Forestry Department .....	108
Post Office .....	67
Registry of Motor Vehicles .....	93
State Departments .....	86
Tel. & Tel. ....	27
Traffic Lights .....	321
Veterinarian .....	21
Water Department .....	42
Other Police Departments .....	796
Other Town Departments .....	138
Nuisances Reported .....	134
Passport Letters .....	36
Patrol Calls (rings) January through September .....	88,769
Permits Granted .....	46

**Persons:**

Assistance Rendered .....	5,963
Inj/Sick Assisted .....	2,198
Insane Assisted .....	13
Missing Persons .....	168
Notified .....	739
Sudden Deaths .....	88
Suicides .....	8
Suspicious .....	1,581
Photographs .....	36
Photostats .....	3,425

**Property:**

Buildings Open/Secured .....	502
Lights Burning In .....	13
Damaged .....	58
<b>Dog Complaints Investigated</b>	
Humans, bitten by dogs .....	101
Attacking other animals .....	18
Barking dogs .....	78
Molesting people .....	49
Chasing Vehicles .....	4





Displaying "For Sale" sign .....	1	No warning flag .....	2
Endangering .....	2	No hackney license in possession .....	1
Excessive noise .....	3	Not duly licensed .....	43
Fail. to cover load .....	1	Obstructing crosswalk .....	1
Fail. to have ins. policy		Obstructing flow of traffic .....	11
in accessible place .....	1	One way street .....	145
Fail. to slow for intersection .....	7	Operator holding child against	
Fail. to have vehicle under control ..	1	steering wheel .....	1
Fail. to display non-resident		Operating under influence of liquor ..	4
student decal .....	1	Operating truck on parkway .....	1
Fail. to attach plates .....	2	Operating with high beams .....	1
Fail. to use chock blocks .....	2	Operating within 300 feet	
Fail. to display 1970 decal .....	6	of fire engine .....	1
Fail. to file accident report .....	69	Operating after suspension .....	4
Fail. to keep right .....	34	Operating motorcycle without	
Fail. to grant right of way .....	1	proper headgear .....	15
Fail. to obey officer .....	10	Operating motor vehicle	
Fail. to signal change of direction ....	10	without lights .....	2
Fail. to yield to pedestrians .....	2	Operating M.V. with one missing	
Fatal pedestrian accident .....	2	registration plate .....	33
Fail. to stop for school bus .....	4	Plates not legible .....	11
Faulty equipment .....	56	Red spin light illuminated .....	2
Illegal operation of truck .....	1	Sounding siren .....	1
Improper operation .....	54	Speed .....	1,694
Keys in switch, unattended,		Stop sign .....	351
motor running, etc. ....	39	Throwing bottle on street .....	1
Leaving scene of accident .....	7	Using automobile without authority ..	26
Mechanical device .....	1,101	Unregistered and Uninsured .....	18
Mutilated license .....	2	Wrong turn .....	1,239
No inspection sticker .....	88	Total .....	5,232
No license or registration		Criminal Complaints	
in possession .....	106	(included in above) .....	799

## SUMMARY OF THE YOUTH BUREAU

Original complaints issued by the Brookline Juvenile Court .....	157
Juvenile Defendants .....	124
Brookline Residents .....	68
Non-residents .....	56
Male .....	109
Female .....	15
Juveniles arrested for other jurisdictions .....	63
Property recovered .....	\$31,469.00
Restitution made by Juvenile Offenders .....	\$11,302.00
Preliminary Hearings .....	34
Docket of Juvenile Court Continued Cases .....	386
Adult Criminal Cases (Juveniles Involved) .....	181
Juvenile Offenses Cleared without Court Action .....	804

## TRAINING

In-Service Training for Patrolmen

All Patrolmen — 20 hrs.  
 Patrol Report  
 Procedure  
 Basic Police Report  
 Writing

In-Service Training for Sergeants	All Sergeants — 5 hrs. Prisoner Identification, including fingerprint- ing and photography
Firearms Training	All Members
Mass. State Police Narcotics Training School	Four Detectives
Meetings and Conferences during the year of the Norfolk County Narcotic Law Enforcement Association (representatives from all Police Departments in Norfolk County)	Two Detectives
Advanced Latent Fingerprint School (Mass. Police Training Council)	One Detective
Basic Fingerprint School (Mass. Police Training Council)	One Detective
Teletype School	Fourteen Officers
Recruit Training in Department Plus 6 weeks' training at Mass. State Police Academy, Sudbury, Mass.	Eight Recruits
Supervisory Training School for Officers at Burroughs Corporation	Two Sergeants
Armorer Training School at Smith and Wesson Factory, Springfield	One Patrolman
Police Management Course at State Street Bank and Trust Company	One Captain
Northeastern University	15 Officers enrolled in their off-duty time in Law En- forcement Courses
State College at Boston	Two Officers attend full classes in their off-duty time
Boston College	Three Officers attend in their off-duty time

On April 15, 1970 and again on May 8, 1970 the Brookline Police Department's Tactical Patrol Force was committed to the City of Cambridge when that City was faced with serious civil disturbances. This was the first time in the history of the Police Department that members of the Department were deployed outside the Town under the present Police Mutual Aid Program.

On October 16, 1970 the Brookline Department adopted the Sector Patrol Systems as recommended in the I.A.C.P. Survey. In adopting the sector system, the Town was divided into nine patrol sectors, thus eliminating the beat method of patrol which had been in effect for a number of years in the Department.

During 1970 a new color scheme was adopted for the Department's vehicles, making them more visible at night. At the same time a decal was adopted for all uniform vehicles, bearing the Town Seal.

In accordance with a recommendation of the I.A.C.P. an Evaluation Program was instituted in the Police Department in which all sworn personnel are evaluated by their superiors semi-annually.

Twenty-two members of the Department were cited in General Orders, during 1970, for meritorious service.



## DEPARTMENT OF TRAFFIC AND PARKING

MICHAEL L. BURKE, *Director*

The Department of Traffic and Parking provides advisory information on traffic and transportation matters to the Board of Selectmen as well as other Town agencies and departments. In addition, the Traffic Director has exclusive statutory authority to adopt, alter or repeal rules and regulations pertaining to vehicular and pedestrian traffic on Town streets and in Town-controlled public off-street parking areas. During 1970, these general responsibilities of the Department led to a wide range of activities.

### WORK WITH OTHER TOWN AGENCIES

#### *Public Works Department*

While the Traffic and Parking Department authorizes the installation of traffic control devices, much of the engineering design as well as actual installation and maintenance of these devices is the direct responsibility of the Department of Public Works. During 1970, the two departments cooperated in planning and implementing the following projects:

- Installation of several hundred regulatory, warning, or guide signs on the basis of 100 Sign Installation Requests prepared by this Department.
- New or revised lane striping on five and one-half miles of roadway along 13 streets. In addition, new pavement markings such as crosswalks, channelizing islands, or warning legends were painted at ten locations.
- One major signal modernization project was completed and field installation was initiated at six intersections, while contracts for improvements at three additional locations were awarded. Of the remaining seven projects which have been funded, one is in the final review stage, one is pending State and Federal approval under the TOPICS Program, and five are in the final design stages. It is anticipated that all of these latter seven projects will be let during 1971.
- The installation of approximately 140 new parking meters including 12 in the newly acquired School Street Parking Lot.

#### *Planning Department*

Mutual interest in a number of areas of Town activity and concern led to cooperative study and activities by the Planning Department and the Department of Traffic and Parking during the past year. In addition to review of proposed site plans and the development of recommendations relative to Zoning Board of Appeals' cases, joint efforts included:

- Review of plans for new or expanded Town facilities.

- Development and review of proposals related to traffic circulation, public transportation, parking and zoning for the proposed Comprehensive Plan Revision.
- Representation of the Town at briefings and policy meetings concerned with metropolitan transportation matters.
- North Brookline Study. A trial operation using barrels and mandatory turn regulations to discourage through traffic in the area bounded by Commonwealth Avenue, Harvard Street and Babcock Street was carried out during the early part of 1970. While the operation was not satisfactory and abandoned in favor of a more conventional (albeit potentially less effective) one-way system, valuable information was obtained to guide future efforts of this nature.

### *School Department*

In cooperation with the Police Department, the Department of Traffic and Parking reviewed numerous requests from the School Department and Parent-Teacher Organizations for measures to enhance school crossing protection at various locations and, as a consequence, authorized a number of improvements in signing and pavement markings in the vicinity of schools. In addition, applications are currently being prepared to obtain official designation by the State of a number of streets abutting schools as "School Zones." A study was also initiated to develop access, circulation, and parking guidelines for use in designing the proposed new Lincoln School.

### *Police Department*

In addition to matters related to school crossing safety, the Department of Traffic and Parking and the Police Department worked together in a number of other areas of mutual concern such as speed and parking enforcement, parking meter maintenance, and the administration of hackney rules and regulations. During 1970, incidentally, the two parking control officers previously assigned to the Police Department were transferred to the Department of Traffic and Parking.

### *Multi-Department Projects*

During 1970, the Department participated in the planning process of a number of projects which involved several Town agencies. These were:

- the new Pierce School.
- the proposed Main Library Addition.
- additions to the Heath, Lawrence, and Runkle Schools.
- High School Addition-Cypress Playground Expansion.
- the proposed Central Garage.
- the proposed Brookline Village pedestrian overpass.

## OTHER DEPARTMENTAL ACTIVITIES

### *Town-Wide Surveys and Analysis*

The Department carried on a continuing program of traffic and pedes-

trian counts, speed surveys, and accident data compilation to develop information for establishing project priorities and to guide decisions related to traffic planning and control. This program involved:

- Compilation of a listing of "High Accident" locations where 10 or more accidents occur annually. Accident patterns at the 24 locations thus obtained are being analyzed to determine what corrective measures should be undertaken.
- Approximately 200 twenty-four hour counts were made by machine counters at mid-block locations and approximately 40 manual counts of varying duration were made at intersections to determine traffic volumes and flow patterns.
- Approximately 50 spot speed surveys were made to determine the speed of traffic flow to gauge the need for additional controls.

### *Coolidge Corner Traffic and Parking Study*

This study was initiated early in 1969 with a four-fold purpose: (1) to determine what steps should be taken to increase safety and improve the flow of both pedestrian and vehicular traffic, (2) to determine what improvements in parking facilities or operations are required, (3) to determine if air-rights development should be permitted over Town-owned parking lots, and if so, under what conditions, and (4) to develop transportation parameters for future development in this vitally important area of the Town. Study progress has been slow due to a continuing lack of adequate staffing for the Department; however, preliminary recommendations for improvements in the area of traffic patterns have been developed, and these have been made available to consultants studying development potential of the area. It is hoped that sufficient data on present and future parking needs can be developed during 1971 to permit Town action on proposals to allow development of air-rights over the parking lots.

### *Brookline Village Transportation Study*

The preliminary findings of this study, carried out by the consulting firm of Murray D. Segal under a contract administered by the Department, have been reviewed and discussed with other Town agencies. Although the final report has not yet been submitted, the value and importance of the study has already been demonstrated. Of paramount significance, critically important transportation parameters for desirable development intensities in the Marsh Area have been established; in addition, recommendations have been developed for needed improvements in the area street system. The consultant's recommendations were extremely valuable in making decisions relative to the new Pierce School plan and the proposed pedestrian overpass in the Village. Planning required for the implementation of a number of other recommendations developed in the study has begun.

It is anticipated that a final printed report will be submitted to the Town by the end of January, 1971.



### *Miscellaneous Traffic Studies*

Among the numerous other studies conducted by the Department during 1970 for which reports were prepared were the following:

- Pond Avenue-Riverdale Parkway — Review and analysis of a proposal by the Park and Recreation Commission to exclude vehicular traffic from Riverdale Parkway.
- Clinton Road — Comprehensive review of traffic operations.
- Dean and Corey Roads — Comprehensive review of traffic operations.

### *Traffic Rules and Regulations*

The following changes were made in Town traffic regulations for the public safety, welfare and convenience during 1970:

- New parking prohibitions were established at 19 locations.
- Meter fees were raised and new time limits established at numerous locations in the Coolidge Corner Area and in the Kent Street Parking Lot.
- New parking meters were installed on John Street, Centre Street, Harvard Street, Beacon Street, and the Beacon Street Reservation.
- A mandatory turn (Left Lane Must Turn Left) was established at one location.
- Six new one-way streets were established in the North Brookline Area in connection with the overall plan for eliminating through traffic from the area.
- New STOP controls were established at 2 locations.
- YIELD signs were erected at the Horace James Circle.
- STOPPING and STANDING regulations were incorporated into the Traffic Rules and Regulations.
- Three LOADING ZONES were established, the first such officially designated areas in the Town.
- State certified speed limits were approved for 10 Town streets.

### *Hackney Administration*

The following licenses for hackney operation were renewed:

- Three licenses for the operation of metered taxicabs covering 102 vehicles.
- Four licenses for the operation of School Vehicles covering 13 vehicles.
- Eight licenses for the operation of Public Automobiles covering 30 vehicles.

### *TOPICS Program*

During 1970, the Department gave high priority to obtaining funds under the TOPICS (Traffic Operations Program to Increase Capacity and Safety) Program, which presently provides that Federal and State funds can be used to pay the entire cost of eligible projects on a designated street system

within the Town. As a result of these efforts, six projects for which over \$100,000 had been appropriated by Town Meeting are expected to be completed at minimal cost to the Town. Early in 1971, the Department expects to submit an application to the State requesting approval of a five-year program of improvements, the cost of which is estimated to exceed \$3 million.

### *Citizen Requests*

As in 1969, a significant portion (perhaps 25 percent) of the Department's effort was devoted to investigation of traffic conditions initiated in response to written requests from citizens.

### *Traffic Advisory Board*

The Traffic Advisory Board, consisting of Town officials concerned with traffic-related matters plus a citizen member, is a source of valuable advice and assistance to the Department. During 1970, the Board met ten times.

### *Projects Underway*

In addition to its continuing activities, the Department will enter 1971 with a backlog of approximately 80 projects or requests for action from Town departments and agencies as well as citizens. In most instances, these projects have not yet been completed due to the fact that the Department has not yet attained an adequate level of staffing. It is hoped that additional staff assistance, included in the Department's 1971 budget request will be granted in order that the Department may serve the Town more effectively and expeditiously in the future.

## FIRE DEPARTMENT

ARTHUR A. O'SHEA, *Commissioner*

ANDREW J. COLGAN, *Chief of Department*

Herewith is submitted the annual report of the Fire Department for the year ending December 31, 1970, although the writer did not take office until June 29 following the prior administrations of Commissioner Robert W. Taylor and Commissioner William H. Burke, whose very brief administration was ended by his untimely death on May 31, 1970.

Although the present Commissioner served approximately six months during the year, it is my opinion that it might be helpful prior to submitting the various statistical data to review the current practices obtaining relating to the administration of the department.

Following my appointment I visited every station and examined each piece of equipment under the control of the department. I found the various stations in general to be well maintained with the exception of two buildings, namely, Fire Headquarters and Station #1 in Brookline Village. These two structures have been allowed to deteriorate to a state of disrepair which would not meet the required standards of the various codes which must be met by all other structures in the Town. The reason for the present condition of these two buildings is related to the expressed intention of the Town to build a new Fire Station and Headquarters on the site of the present Headquarters, combining these two stations into one facility. This project has been under consideration for almost forty years but has never been carried forward due to the fact that the proposed widening and extension of Brookline Village which required the removal of that station, has never been advanced except for the necessary land takings. The Town also has given continued priority to the school replacement construction program. Accordingly from a realistic standpoint it is recommended that sufficient funds be appropriated for the rehabilitation of Stations #1 and #2 which would provide for the efficient functioning of these two structures for a period of from five to ten years, during which time the school building construction program to which the Town Meeting has been more or less committed could be carried forward.

The equipment of the department appears to be well maintained, although we are faced with the problem of continuous obsolescence. In this connection a schedule was worked out with the Brookline Taxpayer's Association some years ago providing for the retirement of apparatus at the end of approximately twenty years service. A more or less strict adherence to this schedule will permit a high standard of operating efficiency without



imposing an extraordinary burden upon the taxpayers of the Town, by allowing the equipment to become cumulatively obsolete in the absence of a program for normal replacements, thus requiring bond issues for replacement rather than from current appropriations.

As for the manpower of the department, it is to be noted that from 1946 when the men worked 84 hours to 1970 when the hours have been reduced to the present 42 hours per week, approximately 104 men were required to be added to the department to provide the necessary protection to the Town throughout any 24 hour period. The entire complement of the department at the present time as shown in the following table is 231.

Fire Chief .....	1
Deputy Fire Chiefs .....	5
Fire Captains .....	11
Fire Lieutenants .....	34
Firefighter Aides .....	8
Firefighters .....	160
Fire Alarm Operators .....	5
Sr. Clerk & Stenographers .....	2
Firefighter & Code Enforcement Inspectors .....	2
Superintendent of Wires .....	1
Lineman-Cable Splicer .....	1
Inspector of Wires .....	1
<b>TOTAL .....</b>	<b>231</b>

The Commissioner has attempted to evaluate the present functioning of the department on the basis of established criteria and submits the following observations:

The fire communications of the department have been consolidated with those communities in the Metropolitan Core Area to the end that aid on a reciprocal basis is available without delay in case of emergencies in which connection adequate wire and radio communications are utilized.

An adequate on-duty force is maintained in each fire company and a minimum has been established below which, in the interest of adequate protection to the community, the unit will not be permitted to operate.

Procedures have been established for the recall of off-duty firefighters for the purpose of responding to multiple alarms for fires or other public emergencies, although as a general practice the reciprocal arrangement with contiguous communities provides in most instances faster service.

Vacations for firefighters are spread over a period from March to December to make more men available during periods of the year when the more serious fires are experienced.

Stress is being placed upon the necessity for a more stringent Fire Prevention Program and the Chief has been directed to provide for routine inspections of buildings in the vicinity of each station to the end that in cases of emergencies the men will not only be more familiar with the premises but steps might be taken to eliminate conditions which may be conducive to fire hazards. In this connection it is noted that in 1956 the National Board of Fire Underwriters in its report on Brookline, Massachusetts, called attention to the necessity of the adoption, among other things recommended, that a complete fire code of modern regulations governing the use of all hazardous materials, processes and occupancies, be adopted by Town ordinance and rigidly enforced. Since that time no Fire Prevention Code has been adopted by the Town, although certain regulations pertaining to the use of materials has been incorporated in building codes. It is urged, therefore, that the Town adopt without delay a Fire Prevention Code as an appendage to the present building code or better still as an independent code. There is such a code in existence which could be adopted without serious delay merely by review by competent legal authority to the end that any inconsistencies or incompatibilities might be adjusted. Such a Fire Code would strengthen the performance of the Fire Prevention Division without intruding on the prerogatives of the Building Department. For example, in the recent fire at the High School Library it was found that this portion of the building had no sprinklers or alarm detection devices. This was a costly error for the Taxpayers of the Town. Plans for new structures and repairs should be routed by the Building Commissioner through the Fire Department for the purpose of considering the accessibility of fire apparatus to proposed structures and to determine other hazards which are not necessarily apparent to inspectors in other departments. If such cooperative procedures are followed by all Town agencies it cannot be otherwise than that fire losses might be reduced substantially. In this connection it must be admitted that the presence of the Fire Chief and Building Commissioner on the Health and Safety Committee has been useful and effective.

The department seeks to keep abreast of all improvements in safety measures for the protection of the men in which connection it is proposed to phase out the use of the present canister-type gas masks in favor of a newer self-contained type which do not require annual expenditures for the replacement of canisters. The new type masks should reduce the number of incidents requiring firefighters to be taken to the hospital for treatment for smoke inhalation. It is to be noted also, the new type masks will be helpful in protecting the men from the poisonous gases that are released in fires from the combustion of many types of plastic and other materials.

Continuous and systematic training is given all firefighters at either the training school on Hammond Street or in the off seasons, while on duty at the various station houses.

The department participates in fire training programs including special instruction in the training of officers. The Fire Chief attends periodic conferences to the end that the department may be kept abreast of all improvements in firefighting techniques.

The department has provided for protective salvage operations by fire companies that the damage to property might be minimized.

The department operates under a set of Rules and Regulations for the guidance of the fire force and for the purpose of assisting in the effective administration of the department. The question of "moonlighting" is being reviewed by the Commissioner, as well as the work schedules, for the purpose of determining whether or not more efficient operational programs might be adopted in the interest of not only the men but the Taxpayers of the Town.

The department is working in close cooperation with the Water Division of the Public Works Department to insure adequate water distribution with sufficient pressures particularly in the areas of high rise structures.

Fire apparatus is purchased after competitive bidding by the Purchasing Department based upon specifications which are designed to encourage competition. It is hoped, however, that in the foreseeable future the manufacturers of this equipment will undertake routine production of fire apparatus based upon national standards rather than following the practice of building each piece of equipment on a custom basis which results in higher costs and longer delays.

The fire apparatus is efficiently maintained in the department shop which practice should be continued until perhaps there is a central town-wide garage where adequate and skilled repair work can be accomplished, having in mind that pieces of fire apparatus are specialized equipment requiring not only technically trained mechanics who are also knowledgeable in the field of pumping apparatus. Fire equipment must of necessity receive high priority for repair schedules on a twenty-four hour basis.

Firefighters in accordance with the Civil Service job specifications are assigned to building and ground maintenance work at the various stations.

Fire hose is purchased under rigid specifications and the men are adequately trained in its care to provide for the maximum length of service and reliability.

The Fire Alarm system is efficiently operated and the department will continue to note the progress in the electronic field by virtue of which our system can at all times be kept up-to-date and efficient in operation. Modern radio equipment is installed in all vehicles of the department to permit



constant communication when vehicles are out of quarters that they might accept other assignments in the case of any emergency.

New "Walkie talkies" are also used so that the officer in charge at a fire might be in constant communication with the supervisors in particularly the larger buildings.

During the year there were 2,308 alarms: 28 more than in 1969. Of the 2,308 alarms, 740 were bell alarms, compared with 810 in the preceding year and 1,568 were still alarms. There were 4 two-alarm fires; 3 three-alarm fires and 1 four-alarm fire. Among the alarms answered, 280 were from Boston boxes and 16 from Newton boxes.

The estimated fire loss was \$505,502 or \$518,802 less than in 1969.

Twenty-five members of the department were again enrolled at the Massachusetts Bay Community College at Watertown, Massachusetts.

The training program at the training school on Hammond Street is carried on for the purpose of insuring that all the men of the department are properly trained in the modern techniques of firefighting, the use of safety equipment and to familiarize the men with the use of foam and other progressive techniques.

During 1970 the Wire Division placed in service 13 Fire Alarm Boxes including 3 Master Boxes connected to Nursing Homes and Elderly Housing. 14,775 ft. of multi-conductor cable was put in service and hundreds of feet of buried conduit were installed in conjunction with the Public Works Highway Program. The Fire Alarm Office is being changed over from the outdated secondary circuits to the more modern "Vocalarm" system, which provides an audible announcement of the location thereby saving precious time.

## INSPECTIONS

There were 10,025 inspections made in 1970 compared with 10,043 in 1969.

Houses of Religious Worship .....	28
Convalescent Homes and Rest Homes .....	120
Clinics, Hospitals and Hotels .....	122
Schools (public and private) .....	155
Lodging Houses .....	224
Business and Apartments .....	7,494
Oil Burners .....	970
Re-inspections and Complaints .....	858
Fraternities and Dormitories .....	54
<b>TOTAL .....</b>	<b>10,025</b>

## FIRE REPORT FOR 1970

Bell Alarms .....	740
Still Alarms .....	1,568
Total .....	2,308

## FIRE RECORD

Automobile fires .....	217	Sparks from chimney .....	24
Burning rubbish .....	103	Supposed fires .....	70
Chimney fires .....	15	Careless smoker .....	118
Burning fat and meat .....	43	Overheated furnaces .....	6
Brush and grass fires .....	53	Spontaneous combustion .....	10
Defective flues .....	35	Unknown .....	50
Overheated electric irons .....	2	Hot ashes .....	8
Dump fires .....	18	Defective refrigerators .....	28
Defective oil burners .....	102	Set by boys .....	118
Incendiary .....	10	Boston Boxes .....	280
False Alarms .....	198	Newton Boxes .....	16
Needless .....	87	Washing Machines .....	40
Defective wiring .....	78	Inhalator cases .....	167
Incinerators .....	159	Defective gas stoves .....	61
Miscellaneous .....	192		

## MULTIPLE ALARMS

2-Alarm Fires .....	4	3-Alarm Fires .....	3
4-Alarm Fires .....	1		

The loss, valuation and insurance as nearly as could be ascertained was:

Valuation of Buildings and Contents where fires occurred .....	\$26,700,416
Insurance on Buildings and Contents .....	24,291,250
Damage to Buildings and Contents .....	505,502
Insurance Paid on Buildings and Contents .....	505,502

There was appropriated in 1970 for the Department \$2,499,170.88 of which \$2,461,594.37 was expended, leaving a balance of \$37,576.51 which was returned to the Town Treasury. For the Wire Division of the Fire Department there was appropriated the sum of \$55,564.18 of which \$54,306.09 was expended leaving a balance of \$1,258.09 which was returned to the Town Treasury.

The total personnel in the Department at the close of the year was 231.

It is the earnest effort of all members of the Fire Department to not only maintain the noble traditions of the department but to improve its operation to the highest standards available compatible with modern fire-fighting techniques and practices. All the members of the department are dedicated to the desire of rendering the utmost in community service and protection.

## BUILDING DEPARTMENT

ROBERT J. STEWART, *Building Commissioner*

The following summary indicates in detail the volume and type of building operations for the year 1970.

	Number of Permits	Estimated Cost	Fees
New Wood and Frame .....	13	\$ 443,759.	\$ 609.50
New Brick and Stone .....	19	7,698,100.	4,975.00
Alterations .....	357	1,895,000.	2,748.99
Electric .....	653	1,120,371.	1,768.00
Gasfitting .....	378	108,338.	213.50
Plumbing .....	265	645,133.	993.00
Total .....	1,685	\$11,910,701.	\$11,307.99

## NEW BUILDINGS

	Number of Permits	Number of Families	Estimated Cost
One-family dwellings .....	6	6	\$ 280,000.
One five-family attached .....	1	5	100,000.
One three-family attached .....	1	3	60,000.
Storage buildings .....	4		2,789.
Cabana .....	1		970.
Swimming Pools .....	11		70,600.
Apartment houses .....	4	278	3,825,000.
Temporary office building .....	1		2,500.
Bank .....	1		250,000.
Schools .....	2		3,550,000.
Total .....	32	292	\$8,141,859.

Number of demolition permits .....	18
Number of dwelling units eliminated by demolition .....	13
Number of dwelling units added by conversions .....	36

The list below indicates cases prosecuted and their disposition for the year 1970.

Number of court cases	Charge	Violated	Disposition
41	Unrelated occupancy	Zoning By-Law	6 not guilty 18 guilty 11 dismissed by agreement
1	Business in residential zone	Zoning By-Law	6 no finding
2	Illegal occupancies		1 pending 2 found guilty complied



One of above 41 cases involved the enforcement of Board of Appeals decision.

There was one civil case in which the Building Department was involved.

The constitutionality of the unrelated persons Amendment has been contested, with the result that several cases have been dismissed by agreement. The decision of upper courts is pending.

Code enforcement program in Coolidge Corner area is approaching completion, with 28 referrals for compliance pending. A new Code enforcement program is expected to start in the area of Washington Square.

Night inspections are still necessary in cases of illegal occupancies, since it is often difficult to secure sufficient evidence by daytime inspections.

It is expected that "Rent Control" will require considerable inspection work by the Building Department.

The work on the proposed Building Code is proceeding, and since a new Committee, Code Committee Review Of The New Building Code, is functioning, it is expected the New Code will be submitted for adoption in 1971.

Lodging houses, convalescent homes and places of public assembly were inspected for conformance to safety requirements.

The forty-two town owned buildings under jurisdiction of this Department were maintained and repaired.

The Building Department rendered inspection and clerical service to the Building Commission in connection with school construction program. At present it appears this work will increase during the year 1971.

There are at present several apartment house projects that have been ready to proceed for some time. In some cases Board of Appeals variances or special permits were necessary, and have been obtained. It is expected construction will commence presently.

## BOARD OF EXAMINERS

CLIFFORD D. STEWART, *Chairman*

EUGENE EISENBERG

JULIUS ABRAMS

The Board of Examiners met 10 times during 1970. The meetings consumed many hours of work on the part of its members in the preliminary investigation and personal interview of 36 applicants. Of the applicants 35 received new licenses and of these, 4 received license certifications lower than that which had been requested. During the year 222 licenses were renewed.

In 1970, \$773.00 was received in fees for licenses and a total of \$420.00 was reimbursed to the Board and to the Clerk. Members of the Board of Examiners wish to express their thanks for the cooperation of the Building Department. The Board is pleased to have been able to carry out this service for their town.

## HEALTH AND SAFETY COMMITTEE

HENRY M. GREENLEAF, M.D., M.P.H., *Director of Public Health,*  
*Chairman*

ANDREW J. COLGAN, *Chief of Fire Department*

LEO PICARDI, *Commissioner of Public Works*

NORMAN ROSS, *Special Counsel*

JAMES C. ROURKE, *Chief of Police*

ROBERT J. STEWART, *Building Commissioner*

RAYMOND F. WAGNER, *Sanitary Engineer, Secretary*

JOHN E. WOODWARD, JR., *Planning Director*

During its 27th year the Health and Safety Committee has continued to act as the advisory and inspectional agency of the Board of Selectmen. It has investigated and reported on health and safety matters referred to it by the Board of Selectmen or by citizen complaints.

The Committee with the cooperation of the Planning Board participated in a design review of some selected open air parking lots and made recommendations to the Board of Selectmen for improvements.

The testing of sprinkler systems in nursing homes, fraternities, and dormitories revealed some irregularities, and recommendations were made by the Committee to the Board of Selectmen to bring them into compliance.

A total of 677 inspections and hearings by the Agent included the following: rooming houses, 326; nursing homes, 108; dormitories and fraternities, 45; parking spaces, 97; complaints, 52; sprinkler tests, 17; evacuation fire drills, 18; inspection of junk yards, 2; inspection of paint stores, 3; fire inspection for Department, 2; hearing at Department of Public Safety, 3; hearings at Town Hall, 4.

# Public Works

## COMMISSIONER OF PUBLIC WORKS

LEO D. PICARDI

The Board of Selectmen, on the recommendation of the Commissioner, reappointed Richard R. Fairbank, Director of the Engineering Division; Paul T. Clancy, Director of the Water Division; Joseph B. Minahan, Director of the Sanitation Division and Richard A. Kirby, Director of the Highway Division. The Directors are to serve for the ensuing year under the Commissioner of Public Works, Leo D. Picardi.

During the year, the following major construction contracts were administered by the Department of Public Works:

Reconstruction of Littell Road, Stearns Road and Alton Place by the S.J. Tomasello Corporation in the amount of \$75,213.63.

Reconstruction of Auburn Street, Harris Street, Harvard Avenue, Marion Street, Vernon Street and the construction of a surface water drain in Marion Street by A. R. Belli, Inc., in the amount of \$160,220.47.

Reconstruction of Naples Road and the construction of a surface water drain in Naples Road by the Cetrone-Compa Corporation in the amount of \$115,000.27.

Reconstruction of Beals Street, Gibbs Street and Winslow Road by Belli Construction, Inc., in the amount of \$101,530.23.

Reconstruction of Manchester Road and Osborne Road and the construction of a surface water drain in Manchester Road and Osborne Road by Belli Construction, Inc., in the amount of \$57,521.84.

Reconstruction of Babcock Street by Gerard Leone and Sons in the amount of \$121,910.50. Construction started in the fall of 1970 and will be completed in the spring of 1971.

Reconstruction of Sewall Avenue, sidewalk reconstruction of Lawton Street, curb and sidewalk reconstruction of Coolidge Street and the resurfacing of Harvard Street by the Cetrone-Compa Corporation in the amount of \$120,904.70. The proposed work is 85 per cent completed and the remaining 15 per cent will be completed in the spring of 1971.



Slurry Seal Coating on Chestnut Hill Avenue, Clinton Road, Clyde Street, Cypress Street, Lee Street, Newton Street, Sears Road, Dudley Street, Rice Street, Hart Street, Chestnut Street, Prince Street, Franklin Street and Woodland Road by Sealcoating, Incorporated in the amount of \$54,194.66.

Resurfacing of various streets, namely, Alberta Road, Dale Street, Dudley Road, Dudley Way, Dummer Street, Goodnough Road, Heath Street, Lee Street, Shaw Road, Walnut Street, Walnut Hill Road, Wallis Road and Warren Street by L. Coletti and Sons, Inc., in the amount of \$144,610.31.

Construction of a drain in Harvard Avenue, Harvard Street, Auburn Street, Harris Street and Vernon Street by Joseph Capone & Sons, Inc. and Susi and DiMascio Co., a joint venture, in the amount of \$480,169.00.

Construction of sewers and drains in Linden Street, Linden Place, Toxteth Street, Perry Street, Beals Street and Gibbs Street by the Modern Continental Construction Co., Inc. in the amount of \$399,750.00. Construction started in the spring of 1970 and is expected to be completed in the spring of 1971.

Construction of drains and appurtenant work in St. Paul Street, Parkman Street, Green Street, Sewall Avenue and Dwight Street by R. A. Buccella & Sons, Inc. in the amount of \$422,670.00. Construction was started in the fall of 1970 and will be completed in the summer of 1971.

Construction of a new water main in Goddard Avenue, Cottage Street and Warren Street by Joseph Capone & Sons, Inc., and Susi and DiMascio Co., Inc., a joint venture, in the amount of \$179,736.00. Construction began late in 1970 and will be completed early in 1971.

During 1970 the first phase of a five year \$50,000 Street Lighting Program began with 644 orders being placed with the Boston Edison Company for improved street lighting.

Designs were being formulated with Metcalf & Eddy Engineers during 1970 for sewer and drain projects, which will be constructed in 1971, namely, Powell Street, Marshall Street, Browne Street, Sewall Avenue trunk sewer, Tannery Brook outfall, Francis Street, Kent Square and the Netherlands Road outlet.

## ENGINEERING DIVISION

Services were performed by the Engineering Division in accordance with Town By-Laws for the following Department and Commissions:

### *Assessors' Department*

The annual revision of the Assessors' plans to show subdivision of property, changes in ownership and alterations to existing structures and all new structures which require the services of field survey personnel and draftsmen were completed and the atlas printed.

### *Brookline Redevelopment Authority*

Continued assistance was given to the Redevelopment Authority in conjunction with their various construction projects and also assisted the Building Department, the architects and the contractor with the Hearstone Plaza Project.

Contract plans and specifications for the reconstruction of a portion of Pearl Street and cleaning and relining of various water mains in the Marsh Redevelopment Project were reviewed by the Engineering Division.

### *Building Department*

Field surveys were performed on all new construction and alterations to existing buildings to verify their compliance with zoning-by-law requirements and decisions of the Board of Appeals. The Division implements the requirements of the Town drainlayers' regulations by issuing permits for the installation of sewer and drain connections to buildings, the locations of which are on file in the Division's records as well as pertinent data which are available to the property owners. Numerous plans for parking areas were reviewed to insure proper surface drainage as a prerequisite before issuance of a permit for their construction.

### *Park and Recreation Departments*

The Engineering Division, at the request of the Park and Recreation Department, designed and prepared contracts and supervised construction for improvements to their facilities. The following projects were processed during 1970:

- Baker School Tennis Courts resurfacing.
- Fence erection and painting at various locations.
- Putterham Meadows parking area extension grades.

### *Highway Division*

Typical services provided to the Highway Division in the course of the year include: measurement, inspection and estimate preparation for the

contracts for road patching, and sidewalk repairs, grades given for new curb and sidewalk installations, driveway openings and other street maintenance work; technical review and design of street lighting improvements and alterations, as well as other measurements as required.

### *Planning Board*

The Director of Engineering regularly attends meetings of the Planning Board to serve as liaison between the Planning Board and the Commissioner of Public Works. Numerous referrals to the Division from the Board were processed in their engineering aspects. During the year all divisional file information and related services were made available to the Board and its Resident Planners.

### *Police Department*

Plans were prepared for the Police Department for Court presentation.

### *Roadway Improvements — Chapter 90*

The Engineering Division maintains the fiscal control of the Chapter 90 Road Program. It prepares preliminary estimates and compiles other data necessary for the Commissioner of Public Works in making his requests to the Massachusetts Department of Public Works for the allocation of funds.

In this program, the preparation of contracts and the supervision of construction is a function of the Massachusetts Department of Public Works under the direction of Mr. Kenneth Brown, District Engineer for District 8. The Town works closely with the District Engineer's office to provide an excellent program of street reconstruction and maintenance.

This fall, work on a contract for the reconstruction of Babcock Street began and it is expected that it will be completed in the spring of 1971.

Future requests have been submitted to the Massachusetts Commissioners of Public Works and the Norfolk County Commissioners for the reconstruction of Tappan Street and St. Paul Street.

### *Roadway Improvements — Chapter 768*

Chapter 768 of the Acts of 1969, General Laws, an act relative to the Accelerated Highway Program, made available funds for highway construction and repair in the amount of \$96,958.48. Under Section 4 of the Acts, these funds were used primarily for the reconstruction of streets within the Code Enforcement Area in order to generate substantial additional Federal contributions.



Section 5 of Chapter 768 made \$290,875.44. available for roadway reconstruction repair and resurfacing of highways and the major portion of the funds available under this section was used for resurfacing and slurry sealing streets outside the Code Area.

### *School Department*

At the request of the Building Commissioner, a topographic plan was prepared for additions to the Lawrence School.

A generalized topographic map for study purposes of the new Park School was developed via joint efforts of the Engineering Division and the firm of Lockwood, Kessler and Bartlett, Consulting Engineers.

### *Selectmen*

The Division, under the direction of the Commissioner of Public Works, coordinates and implements Federally Aided Public Improvements under the Mass. E-3 Neighborhood Improvement Program and the WS1-22-0177 Sewer and Drain Separation Program. The details for these programs are outlined below.

### *The Sewer and Drain Program*

Three contracts were awarded under this program this year and work was substantially completed or will be completed in early 1971 in the following locations: Harvard Street, Harvard Avenue, Auburn Street, Harris Street, Vernon Street, Beals Street, Perry Street, Toxteth Street, Linden Street, Linden Place, St. Paul Street, Parkman Street, Dwight Street, Browne Street and Stetson Street and design work was developed for the following locations for early 1971 bidding: Brook Street trunk sewer in an easement between Harvard Street and Park Vale, Harvard Place, Harvard Street between Aspinwall Avenue and Harvard Place, Powell Street, Browne Street, Marshall Street, Sewall Avenue, Park Street at Washington Street, Park Vale at Park Street, Francis Street, Kent Square, a drain from Netherlands Road to the Muddy River and Tannery Brook replacement drain between Brook Street and the Muddy River.

### *Mass. E-3 Neighborhood Improvement Program*

Street reconstruction and other public improvement work under this program started in 1967. Last summer, work started and completed on the following streets: Littell Road, Alton Place, Stearns Road, Harvard Avenue, Auburn Street, Harris Street, Vernon Street, Marion Street, Naples Road, Beals Street, Gibbs Street, Winslow Road, Manchester Road, Osborne Road, Harvard Street (Harvard Place to Town Line), Lawton Street and Coolidge

Street (sidewalks only). Babcock Street and Sewall Avenue are the last two streets in the program to be completed in 1971. In conjunction with this work, many new trees were planted and the street lighting was upgraded to current standards in conformance with the Town wide Street Lighting Improvement Program.

### *Town Clerk*

Laying out documents and record plans were prepared for land takings and water and sewer easements in various locations.

### *Traffic and Parking*

The Commissioner of Public Works attended all the meetings of the Traffic Advisory Board.

Construction on the contract for the Modification of Traffic Control Signals at Beacon Street and Carlton Street, Carlton Street and Monmouth Street, Harvard Street, School Street and Aspinwall Avenue, Longwood Avenue and Kent Street and Pleasant Street at Freeman Street was started and completed in 1970.

Bids were received late this year for the Modification of Traffic Control Signals for Aspinwall Avenue and Kent Street, Chestnut Hill Avenue and Dean Road and Independence Drive, Grove Street at Beverly Road and Russett Road. Construction should begin in the spring of 1971.

Plans were prepared for submission to State and Federal agencies for approval of Traffic Control Signals at Mountfort Street at St. Mary's Street under the TOPICS Program, a Federally financed State Department of Public Works administrated program in which the Town receives full reimbursement for projects undertaken in this program.

Contract drawings and documents were prepared, bids received and the awarding of a contract for Traffic Control Signals at St. Paul Street and Freeman Street was made to Municipal Signal and Supply Company. Underground construction began in the spring of 1970 and will be completed early in 1971. This signal installation is eligible for 75 per cent reimbursement from the Commonwealth of Massachusetts under Chapter 519, Acts of 1967.

A contract was awarded to the Municipal Signal and Supply Company for the Installation of Traffic Control Signals at the Beacon Street MBTA car stop at St. Mary's Street. Underground construction was completed during the summer of 1970 and the work will be completed early in 1971.

Field surveys were completed for proposed signal construction at Beacon Street at Washington Street, Beacon Street at St. Paul Street and Beacon Street at Kent and Powell Streets. Numerous plans and sketches were prepared for stop signs and traffic control signals at various locations, and several aerial photographs were obtained through the firm of Lockwood, Kessler and Bartlett, Engineers for study purposes.

### *Water Division*

The Engineering Division administers the water improvements contracts and works closely with the Water Division to coordinate and assist in the work of replacing water services on all other construction projects. The responsibility for the updating of all water records was undertaken by the Engineering Division this year.

### *Other Work*

A \$5,000 contract for Modifications to the Air Combustion System at the Incinerator was awarded to the Seltzer Company of Boston.

A plan for modifying the plumbing for water recirculation at the Incinerator was developed by the Engineering firm of Coffin and Richardson and an agreement was signed between the Town and the Engineering firm of Metcalf and Eddy for an overall study of the modifications made at the Incinerator to date.

The Engineering Division established the use of aerial photography for very large study projects. Aerial photography has also been used for developing true to scale topographic plans for: the entire Incinerator and Dump area; proposed sites for the New Central Garage; Park School; miscellaneous accident locations; presentation and traffic studies.

## HIGHWAY DIVISION

The Highway Division performed under its regular services in connection with various activities and functions under its jurisdiction, which are principally as follows: maintenance of roadways and sidewalks, sewers and drains, street cleaning, traffic control, street lighting, snow plowing and removal, and repair of all Town vehicles with the exception of Water, Park, Forestry and Fire Department, and the garaging of all Highway and Sanitation vehicles.

For details of appropriations and expenditures reference is made to the report of the Comptroller.



## CONTRACTS

The following contracts were awarded during the year:

*Rental Rates for Snow Equipment*

Charles Capone Construction Co., Inc.

*Construction and Repair of Bituminous Concrete Sidewalks*

South Shore Paving Company

*Construction and Repair of Cement Concrete Sidewalks*

Capone Bros., Inc.

*Permanent Patching and Repairing Street Openings*

Charles Contracting Co., Inc.

*Maintenance of Traffic Signals*

Municipal Signal & Supply Co.

*Painting White Lines*

Safety Lines Marking, Inc.

The maintenance of existing traffic and street signs, meter posts, etc., was continued and on requests from the Traffic Advisory new signs and meter posts were erected and white line markings painted. The painting of center lines and lane lines was done under the contract with the Safety Lines Marking, Inc. Other roadway markings were done by our regular crews.

During 1970 Brookline had approximately 74.5 inches of snowfall. The forecasting of storms and other unusual weather conditions was provided under the agreement with the Northeast Weather Service.

The main streets are cleaned every day and all others once a week, except when snow and ice conditions prevail. Four power sweepers, one flusher and six section men are used in this activity. Leaf removal is provided for with two suction-type removers supplemented by trucks and loaders for fall cleanup work.

Cooperation with the Brookline Community Council was continued in the emptying and repairing of the 85 litter baskets located throughout the Town.

Sewers and drains were rodded and cleaned on a regular schedule and blocks in main lines cleared. Catch basin cleaning was performed on a regular basis.

The construction of driveway openings as petitioned for by property owners was performed by regular highway crews. This work included the removal of curbing when required, the installation of new curbing and the placing of asphalt or concrete aprons.

The following equipment was purchased in 1970:

- 1 — ½ Ton Pick-up Truck
- 1 — Dump Truck 5-7 Yd. Body
- 1 — Snowfighter
- 1 — Sidewalk Tractor
- 4 — Quick Hitch Snow Plows
- 1 — Street Sweeper
- 2 — Sidewalk Sweepers
- 2 — Pavement Breakers
- 1 — Truck Air Lift
- 1 — Portable Generator
- 1 — Water Pump
- 1 — Berm Machine
- 1 — Sander Body & Scraper

Highway Division statistics on the work accomplished during the year on sidewalks, street cleaning, snow removal, traffic lines and signs, catch basins cleaned, permits issued, equipment owned and operated are available at the Public Works office for review by any interested persons.

### SANITATION DIVISION

A three month trial of the Paper Sack Refuse System was completed in 1969 and the results of the trial of the sack system as presented to the Board of Selectmen are as follows:

285 in favor of the system

66 opposed for various reasons. However, an in depth investigation showed that only 41 were opposed. The other 25 felt that with some refinement or modification that the system would be acceptable.

37 were undecided or failed to give enough information.

The purpose of the trial was multifold and meant to consider various aspects of pollution control, conservation of land now used for dumping and methods of improving our present system of refuse collection. The outstanding result of the trial was the proof that one truck and a crew of three men could more efficiently collect all the refuse that is collected with the present system utilizing three trucks, one for back yard garbage collection,

one for curbside burnable collection and one for curbside non-burnable collection and a total work force of nine men.

The test has proven that the Paper Sack Refuse System is Brookline's answer to the ever increasing problem of refuse collection and disposal.

Dumping space for non-burnable rubbish still remains critical. However, if the new disposable sack system is adopted this crucial condition could be alleviated because the new method of collection provides for burning the non-burnable with burnable rubbish and garbage, with the exception of large and bulky objects.

The following work was performed at the Incinerator:  
Rebuilt both flue walls to combustion chamber, including four plastic corners of flue in Furnace No. 1  
Eastern Refractories, Inc.

Rebuilt walls and roof of flue to combustion chamber, including four plastic corners of flue in Furnace No. 2  
Eastern Refractories, Inc.

Repaired baffle wall in spray chamber in Furnace No. 1  
Eastern Refractories, Inc.

Installed over fire air ducts to both furnaces  
Seltzer Company

Repairs to overhead crane: 40 HP rotor rewound on holding line  
Sandman Electric Company, Inc.

Our own forces installed spare motor on stoker drive in Furnace No. 1 and installed ring gear, cone pinion and quencher system in Furnace No. 2.

There were 2,485 letters of infraction or regulations sent out during the year.

The following motor equipment was purchased in 1970:

- 3 — Packer Chassis
- 1 — 10 yd. Packer Body
- 1 — Pick-up Truck



The following quantities of refuse were collected and disposed of during 1969 and 1970:

	1969 tons	1970 tons
Combustibles	19,119	22,810
Non-Combustibles	7,087	3,804
Garbage	1,391	1,397
Burned at Incinerator	20,510	24,207

### WATER DIVISION

The functions of the former Water Advisory Board were carried out by the Commissioner of Public Works, Leo D. Picardi, and the Director of the Water Division, Paul T. Clancy. Regular meetings are scheduled on the last Thursday of each month.

During the year warrants for the commitment of water rates, extension and maintenance charges were filed with the Town Treasurer and Collector, Neil Nevergelt, as follows:

For Water Rates .....	\$767,276.90
For Maintenance Extension .....	23,225.33
In addition thereto, the Division supplied water to various Town Departments during the year for an aggregate consumption valued at .....	41,638.00
Hence, the potential earnings for the year .....	\$832,140.23

The regular maintenance and service programs were carried out as usual. An increase in the number of poor pressure complaints was again noted. This is mainly due to rust accumulation in old service lines and additional demands being placed on old undersized services. It was also noted that there was an increase in the number of service pipe leaks both in the streets and within private property lines. This increase is the result of deterioration of the older service pipes.

Contract work approved under Article 33 of the 1969 Town Meeting for installation of new mains and appurtenances, which was delayed last year due to high bid prices, was re-advertised in February of this year and more favorable prices were received, thus making it possible to award a contract to the low bidder, A. Singarella & Sons of Weymouth, Mass., for the following streets:

1. Boylston and Tully Streets from Hammond Street to Heath Street.
2. Norfolk and Crafts Roads from Boylston Street to Fairway Road.

3. Mason Terrace (through easements) to Jenness Road, Summit Avenue, City View Road, Westbourne Terrace, Bartlett Street across Washington Street to Evans Road.
4. Beacon Street crossing from eastbound side near Tappan Street to westbound side in Williston Road.

Additional contract work approved under Article 27 of the 1970 Town Meeting for installation of new mains and appurtenances was put to bid in late summer, and a contract was awarded to the low bidder, Joseph Capone & Sons and DiMascio, Inc., a joint venture, of Hyde Park, Mass. for the following:

1. Goddard Avenue opposite Larz Anderson Park to Cottage Street.
2. Cottage Street from Goddard Avenue to Warren Street.

The Water Division in conjunction with other Town contracts involving sewer and drain work, new road construction and water mains, renewed all the water services from the main to the curb stops in the following streets:

Harvard Avenue	Harvard Street	Linden Place
Harris Street	Toxteth Street	Linden Court
Marion Street	Perry Street	Beals Street
Vernon Street	Linden Street	Gibbs Street
Naples Road	Osborne Road	Dwight Street
Manchester Road	Green Street	Parkman Street
Jenness Road	City View Road	Westbourne Terrace
Goddard Avenue	Babcock Street	

Other work performed by the Water Division includes.

- (a) Installation of three insertion valves on main lines where mains could not be taken out of service, as well as to replace broken gate valves.
- (b) Extension of a 6-inch main on Harvard Street to Auburn Street to eliminate a long existing dead end.
- (c) Relocation of several sections of mains that conflicted with line and grade of new sewer and drain construction.

The water rate was increased from 25¢ per hundred cubic feet to 35¢ per hundred cubic feet, an increase of 10¢ per hundred cubic feet over the former rate, which was established in 1963. It places Brookline's Water Division of the Department of Public Works in a position where its rev-

enue will more nearly equal normal operating costs. The new rate reflects, quite modestly, all the multiple increases of costs which have arisen since 1962, such as an increase in labor and materials costs, as well as the anticipated increase in the cost to the Town for water supplied by the Metropolitan District Commission.

From July 29 to August 3, 1970, the Town, in cooperation with the MDC and the State Department of Public Health, imposed an emergency ban to assist the MDC in their supply and demand problems in serving Brookline, Boston, Norwood, Quincy and Milton, which was chiefly attributed to a heat wave plus a severe loss of water in an unknown break in a Boston water main. The cooperation of the Town's people was excellent during the period.

The following equipment was purchased in 1970:

- 1 — Chevrolet Two Door Sedan
- 1 — Chevrolet Utility Body Truck
- 1 — Chevrolet Pick-up Truck with 4 wheel drive and snowplow
- 1 — 3" portable diaphragm pump
- 1 — Air Motor for tapping machine
- 2 — 80 lb. Pavement Breakers

## STATISTICAL REPORT

### *Mains:*

The high service system was extended 9545 feet and the low service system 158 feet. The total present length of water mains is 132.24 miles.

### *Hydrants:*

4 new hydrants were installed. Total now in use is 1459.

### *Main Gate Valves:*

35 new valves were installed. Total now in use is 1783.

### *Fire Supplies:*

10 new fire supplies were added, 2 cut off. Total now in use is 242.

### *Services:*

18 new services were added, 38 cut off. Total now in use is 9776.

### *Lawn Sprinklers:*

1 new lawn sprinkler was added. Total now in use is 158.

### *Consumption:*

Total consumption for 1970 was 2,692,148,000 gallons.

The Town's daily average consumption was 7,375,700 gallons.

The per capita consumption was 127 gallons.



# Town Planning and Development

## PLANNING BOARD

WILLIAM J. GEDDIS, *Chairman*

WILLIAM D. MEHEGAN, *Clerk*

HAMILTON COOLIDGE

MRS. ELLEN S. HELLER

BERTRAM R. PALEY

JOHN E. WOODWARD, JR., *Planning Director*

The essentially coordinative role of planning was clarified and strengthened by the recommendations and actions of the Planning Board and staff in 1970. The Comprehensive Plan and the Community Renewal Program provide the guidelines and goals; but it is through the use of its formal tools — the Zoning By-law and the Capital Improvements Program — that the Planning Board can help those objectives become programs. The major policies enunciated in the Comprehensive Plan of 1959 were the strengthening of the tax base and retention of the residential character of Brookline. These policies were further refined and clarified in the Community Renewal Program document accepted by the Board of Selectmen early in 1970 to include the provision of low and moderate income housing to meet a demonstrated need. But to build housing and retain high quality schools and services in times of inflated costs requires intensified development in certain key areas in order to provide the increased financial return to support those needs.

### *Zoning By-Law*

The Planning Board re-examined the Zoning By-law with a view to improving its capability to encourage development in those areas of the Town which promised the greatest return, and recommended to the March Town Meeting that funds be provided for the services of an urban design consultant to prepare a development program for Coolidge Corner, Washington Square and Lower Beacon Street.

Coolidge Corner in particular is substantially underdeveloped. However, substantial new development is impossible without a clear practical development program.

Town Meeting voted the \$30,000 requested to engage outstanding creative consultants. In June, after four firms had made their presentations before the Planning Board and representatives of the League of Women Voters, the Council of Planning and Renewal, the Taxpayers' Association, etc., the Planning Board recommended that the Selectmen appoint the firm

of RTKL Inc. of Baltimore. It should be noted that the primary factor in the selection of this firm was its high rate of success in implementing development plans in other areas of the country.

The consultants began their work during the summer, reviewing and analyzing existing conditions in the business areas. In accordance with their recommendation, the Selectmen appointed a Steering Committee representing Town officials, owners, merchants and residents in the affected areas, and citizen representatives. Herbert L. Shivek was elected Chairman and William J. Geddis Vice-Chairman by the group. The consultants met with the Steering Committee and with area subcommittees during the fall. They prepared goals and objectives and reviewed possible implementation techniques which could also be used to encourage development. They also examined various air-rights proposals previously submitted. At the end of 1970, the consultants were preparing alternative proposals, both for design and implementation techniques. These proposals are scheduled to be discussed by the Steering Committee and local and Town-wide groups early in 1971.

The on-going review of the Zoning By-law has also demonstrated a need for a design review process that will ensure not only more attractive construction but more concern for the environmental quality of the Town. Environmental design review has recently come to the forefront nationally and, at the suggestion of the Council for Planning and Renewal, Representative Linsky has filed enabling legislation which might make possible a legal design review process. Meanwhile we are considering such informal procedures as may effectively improve design quality. (A zoning subcommittee has been formed which includes Chairman Geddis, Mr. Mehegan and Mrs. Heller.)

Although the Planning Department initiates and prepares the Zoning By-law and its amendments, it is the Board of Appeals and the Building Commissioner which have the ultimate responsibility for interpreting and adjudicating its provisions. In response to the continued heavy caseload of the Board of Appeals, the increasing number of major cases, and promoting the involvement of neighborhood residents, the Planning Board met with the Board of Appeals to discuss procedures. Until recently, the Planning Board's reports to the Board of Appeals were confined to statements of fact and reference to the relevant sections of the Zoning By-law. However, the Board of Appeals indicated that in certain cases affecting neighborhoods or the general public interest, additional editorial comment by the Planning Board would be useful and welcome. It was agreed that an additional week would be provided between the Board of Appeals' receipt of an application and its hearing to allow the Planning Board more time for preparation and earlier submission of its report. In addition, the Boards agreed that changes

in plans between the time of initial filing and the hearing would be limited so that the proposal discussed at the hearing would be essentially the same as that initially presented. In major cases, the Board of Appeals now sends notices of hearings to Town Meeting members in affected precincts. (The Planning Board is publicizing among Town Meeting members and neighbors those meetings at which it reviews major projects.)

The question of temporary certificates of compliance was raised with the Building Commissioner. He indicated that enforcement problems are especially difficult when such certificates are issued before the conditions of the permit have been met; and that insofar as possible he will therefore severely restrict issuance of such certificates. Such problems have also demonstrated a need for further strengthening of the By-law, particularly in regard to commercial development.

In addition, the Planning Department reviewed with the Building Department many applications for building permits for compliance with the Zoning By-law. Some of the proposals were also extensively reviewed by the Planning Board, particularly with reference to site layout, parking circulation and servicing.

Of these applications, 57 went before the Board of Appeals; 16 required special permits; 15 were for variances and 23 involved both variances and special permits. Three cases involved modification of previous decisions.

Major cases reviewed included proposals for a 300 unit apartment building with medical offices at 1731 Beacon Street, a 214 unit low and moderate income housing for the elderly at 88-100 Centre Street, a 39 unit apartment building at 123 Longwood Avenue, and two medical office buildings at 1842 Beacon Street and 209 Harvard Street.

All requests for rehearings before the Board of Appeals within a period of two years of the original denial must, by state statute, be approved by the Planning Board. In 1970 one such case came before the Planning Board and was allowed.

The establishment of the Massachusetts Housing Finance Agency and its \$300,000,000 bonding authorization by the State Legislature is proving to be the single most important contribution to the private construction of low and moderate income housing. The first development using such financing, as well as the provisions of Chapter 121-A (providing for the establishment of a limited dividend corporation) was the subject of a public hearing by the Planning Board and later hearings before the Board of Appeals and the Selectmen. The 214 unit low and moderate income apartment for the elderly at 88-100 Centre Street is now under construction.



In 1970, the Superior Court struck down the amendment to the Zoning By-law limiting occupancy to two unrelated persons. This amendment had been adopted by the Town Meeting in place of that offered by the Planning Board which regulated occupancy by unrelated persons by relating the number allowable to the size of the apartment. This was a standard which seemed "reasonable" to the Board, and therefore afforded the prospect of being upheld by a Court. We shall re-submit our original proposal in the Zoning By-law revisions being prepared for a later Town Meeting.

### *Capital Improvements Program*

Since 1959, Section 81-C of Chapter 41 of the General Laws has required Planning Boards to submit annually a six-year Capital Improvements Program. Until this year, however, the Capital Improvements Program has been essentially a compilation of departmental requests. Although the Planning Board has influenced the various agencies with respect to the nature and scheduling of projects, final decisions have rested with the departments.

The fiscal crisis resulting from inflated costs and increased taxes dramatized the need for an orderly schedule of expenditures within a realistic framework of established fiscal limits. This is the true function of a Capital Improvements Program. The Planning Board therefore proposed, and the Board of Selectmen heartily agreed, that the process of preparing the Capital Improvements Program serves as the vehicle to stimulate coordination and develop uniform standards for establishing priorities among various governmental proposals. Of prime importance was the Selectmen's agreement to set fiscal limits within which the annual cost of bonding over the six year period and the consequent impact on the tax rate could be figured.

The Board of Selectmen agreed to take the initiative to encourage the various governmental agencies to meet jointly to establish procedures and determine priorities. After a preliminary meeting among staff personnel, a subcommittee of the Planning Board composed of Hamilton Coolidge and Bertram Paley met separately with each Board and Commission to explain the process, to set forth the criteria by which requests would be judged and to assist the Boards in rating their proposals realistically. It was pointed out that the role of the Planning Board is to correlate all contemplated improvements, to check them for conformity to the Comprehensive Plan, and to schedule the improvements within the fiscal guidelines established by the Selectmen. The distinction was carefully drawn between the responsibility of the Planning Board for the preparation of the total program, and the authority and necessity for the Boards to determine and schedule their own priorities within the overall limits.

The Planning Board also believes that the process of preparing the Capital Improvements Program should include time for community and Town Meeting member discussion and understanding long before the Town Meeting, and has recommended that community participation be incorporated as an integral step in the process.

The Planning staff is increasingly involved with coordinating capital improvements not only in the planning, but in the working and construction phase. The Town Center is a prime example. It involves the new Pierce School, the Library addition, an underground garage and many related aspects such as the power supply.

The necessary coordination and technical assistance includes almost all areas and departments. It involves pointing out to the School Department the importance of including plans for the arrangement of outdoor space for physical education programs in the initial planning for the provision of indoor space; preparing and distributing visual and statistical material for public meetings concerning the Brook Street and other playgrounds; working out, together with the Park and Recreation Commission, a step-by-step two-year process for community involvement in the planning and staging of playground reconstruction — a procedure now being applied to the Lawton and Kent Playgrounds; working with the Department of Traffic and Parking on revised street traffic patterns for North Brookline; assisting in the application for a new Federal code enforcement program (approved) for the Washington Square area. Decisions on the building of a new Central Garage await consideration of the final draft of the consultant charged with consideration of two locations of Town land along Hammond Street, as well as a thorough review of all the solutions proposed during the long history of planning for this essential Town facility.

The Planning Director represents the Town on two major regional transportation study groups: the MBTA Central Area Systems Study (which includes all transit lines through Brookline) and the Governor's Metropolitan Transportation Study which includes consideration of the Inner Belt, as well as major arterial and mass transit improvements.

The Planning Board continued to work with the Redevelopment Authority on urban renewal proposals in the context of the Community Renewal Program which was recently adopted by the Town. The Board and the Department have worked with the Authority and its staff on preliminary proposals for the Harvard-Aspinwall area, the Brookline Village Rehabilitation project application, the urban design study of the Marsh and adjacent areas, and several specific projects in the Marsh area including the housing development and the pedestrian bridge over Route 9.

In accordance with the state statute, the Planning Board held two public hearings on underground wiring. The Board advised the Selectmen that it endorsed a policy for having all wiring underground, both new and existing wiring. Since many questions concerning the State enabling legislation remain unanswered, including the matter of 2% assessment on the consumer, the Board suggested that the legal and technical ramifications be studied further. At our request a By-law has been drafted. The Board anticipates that discussion of this draft will afford the opportunity for further consideration and resolution of some of the difficult questions as to the best method of achieving a viable program.

Planning in Brookline is involved deeply with every Town department and program, and peripherally, with many private programs whose existence may require some governmental action. Advisory reports to the Board of Appeals have covered everything from the establishment of a day care center to proposals for condominiums.

Planning Board members attended many meetings and conferences with the Selectmen and other Town agencies including the Park and Recreation Commission, the Redevelopment Authority, the School Committee, and the Council for Planning and Renewal. In addition to the staff and Planning Consultant John T. Howard, Reid Charles, Administrative Assistant to the Executive Secretary, and Richard Fairbank, Director of the Engineering Division of the Department of Public Works, regularly attended the fourteen Planning Board meetings.

William J. Geddis, reappointed by the Board of Selectmen for a five-year term, was re-elected as chairman. William D. Mchegan is clerk. John E. Woodward, Jr., continued as Planning Director. James W. White joined the staff as assistant planner, replacing Mrs. Jacqueline Etsten who resigned.



## BUILDING COMMISSION

STANLEY SHUMAN, *Chairman*

GEORGE MICHELSON

JOSEPH P. RICHARDSON

HARRY OLINS

JOHN R. LAKE

ROBERT J. STEWART, *Secretary*

The Building Commission met seventeen times during 1970, including several combined conferences with other town agencies and citizen groups.

Chairman Robert Stokes resigned as a result of illness and George Michelson served as acting Chairman during the period Mr. Stokes was ill. On October 17th, 1970, Stanley Shuman was unanimously elected Chairman of the Building Commission. Herman Snyder also resigned during the year and the Board of Selectmen appointed John R. Lake and Harry Olins to fill the vacancies.

The new Pierce School and Garage Facility plans were completed in November and advertised for bids.

Twenty-nine architectural firms responded to invitations for the design of the proposed new Lincoln School, seven of which were selected for future consideration. After additional interviewing and investigation including site visits in Massachusetts, Rhode Island and Vermont, the Building Commission selected Hugh Stubbins & Associates of Cambridge as the Architects.

Plans for the Runkle, Heath and Lincoln Schools alterations and additions are in progress and expected to be ready for bids by the spring of 1971.

Progress was made on many projects including the addition to the Coolidge Corner Library and the rebuilding of the High School Library, both of which were completed during the year.

Bids were received for the Park and Recreation Committee workshop at the Larz Anderson Park during November, however, all the bids were above the appropriation of the Town Meeting vote and were therefore rejected.

Bids for the Amory Playground Field House were received in December and the Contract was awarded.

The plans for the Main Library addition and alterations have progressed to the Design Development stage.

Sert, Jackson & Associates were selected to design the Brookline Avenue Recreation facility.

The Building Commission wishes to express its appreciation to all the town agencies and departments for the cooperation received.

## BOARD OF APPEALS

KENNETH B. BOND  
MAURICE I. MILLER  
RUSSELL W. AMBACH

*Associate Members*  
ARTHUR J. HANFLIG  
RICHARD T. LEARY  
CLIFFORD D. STEWART

During the year 1970 the Board of Appeals held fifty-nine public hearings, fifty-three of which involved the Zoning By-Law, four involved the Building Code, and two involved both Zoning and Building.

Five applications for modification of previous decisions were received. Four were heard and allowed. The fifth was denied without a public hearing. In seventeen cases, Zoning variances were allowed, and in eight cases such variances were denied. In twenty-five cases, special permits under the Zoning By-Law were allowed and in eleven cases special permits were denied.

Six Building Code variances were allowed, and none were denied. One petition to revoke a variance was denied.

No decision has been overruled by the court in the current year.

Rule IV was amended to give the Planning Board more time to submit its report on cases to be heard by the Board.

Rule V was amended to require plans of applicants to be certified as complying with the rule.

## BROOKLINE REDEVELOPMENT AUTHORITY

HERBERT K. BREMNER, *Chairman*

DAVID E. ALPER, *Vice Chairman*

JOHN M. REED, *Treasurer*

MAURICE F. CHILDS, *Asst. Treas.*

JAMES M. BROWN

SUMNER J. CHERTOK, *Exec. Director*

FRANCIS J. HICKEY, *Asst. Exec. Dir.*

## IN MEMORIAM

On May 31, 1970 William H. Burke, Member and Treasurer of the Brookline Redevelopment Authority, died. Mr. Burke at the time of his death was also Fire Commissioner of the Town of Brookline and Treasurer of the Brookline Credit Union. He had long been active in Town affairs and Town government. Mr. Burke in making his contribution to the community never lost sight of the individual needs and problems of those with whom he came in contact. He kept a good set of books on finances and people. He was interested in giving credit and not getting credit. Billy will warmly be remembered by his many friends and especially the staff and members of the Brookline Redevelopment Authority.

## ORGANIZATION

The Redevelopment Authority consists of five members, four of whom are elected in Town election, for rotating five-year terms. The fifth member is appointed for a five-year term by the Commonwealth of Massachusetts, Department of Community Affairs.

## ANNUAL ELECTION OF OFFICERS

In May of 1970 the Department of Community Affairs of the Commonwealth of Massachusetts reappointed Maurice F. Childs the State Member of the Brookline Redevelopment Authority for a term which will expire on May 6, 1975.

The annual election of officers of the Brookline Redevelopment Authority took place at the Special Meeting on Monday, March 30, 1970. Officers elected were as follows: Herbert K. Bremner, Chairman; David E. Alper, Vice Chairman; William H. Burke, Treasurer; John M. Reed, Assistant Treasurer. On June 29, 1970 Mr. John M. Reed was elected to fill the position of Treasurer left vacant by the death of William H. Burke; and Mr. Childs was elected to the position of Assistant Treasurer. On November 16, 1970 Mr. James M. Brown was elected at a joint convention of the Selectmen and



the Redevelopment Authority to fill the opening in the membership of the Brookline Redevelopment Authority due to the death of William H. Burke. Before filling this vacancy a notice was published in the Brookline Chronicle-Citizen welcoming applications from interested citizens. Prior to the joint convention the Authority at three separate sessions conducted interviews with approximately ten applicants.

### APPOINTMENT

On December 10, 1970 David E. Alper, Vice Chairman of the Authority, was appointed to the Governor's Advisory Committee to the Department of Community Affairs.

### THE MARSH PROJECT, NO. MASS. R-37

The Marsh Project is located in Brookline Village near the easterly Town boundary. It consists of approximately 19 acres of land.

#### *\$5 Million Office Complex Nears Completion*

As 1970 ended, the finishing touches were being applied to Combined Insurance Company's five million dollar complex. This development, located on the northeast boundary of the Marsh Project near the intersection of the MBTA tracks and Washington Street, will be called *The Hearthstone Plaza*. The buildings emphasize a horizontal fenestration around a large public space with stores and community activities located on this plaza level.

A Walter Reade theatre, a Norfolk Country Trust Company branch office and a first-class restaurant along with other stores will open this spring.

A pedestrian bridge over Washington Street will land on the Plaza in order to make it easy and enjoyable for the people living on the south side of Route 9 to come across Washington Street into the Plaza Center.

Two automobile parking levels are located under the complex. Hearthstone Plaza has already generated a good deal of attention and comment because of its commanding position. It is planned to be a focal point of the renewed Brookline Village.

The building spandrels are precast concrete with exposed aggregate in warm ranges of browns and beiges. The elevator shaft, stairs and areas below plaza level are cast-in-place concrete with sandblasted aggregate to contrast with the spandrels. The plaza is paved with square areas of concrete with a pebbled aggregate finish, divided by strips of white concrete which connect the columns. The columns on the plaza level are precast similar to the spandrels, while the exposed outside ceilings are of white concrete plaster.

The lobby has a terrazo floor with a striking blast of color from the mural proposed for the east wall.

Eight flagpoles have been erected in the outside mall to display the flags of countries in which the developer has other offices.

At strategic points on the plaza level will be planters and evergreen screening as well as an interesting fountain display. One per cent of all construction costs will be devoted to works of art. After dark the building complex will come alive through the use of plaza lighting and an ingenious soft illumination of all office windows. It is anticipated that the theatre and restaurant will generate pedestrian activity on the plaza during the evening hours. The building complex contains approximately 150,000 sq. ft. of enclosed space, 25,000 sq. ft. of it on the plaza level for retail use.

Hearthstone Insurance Company will occupy approximately 55,000 sq. ft. of office space. The total population of the building complex will be approximately 750 persons. In addition to the 300 office employees of the Hearthstone Insurance Company an additional 550 of its agents will be working out of the complex. Hearthstone's annual payroll will be in excess of \$2 million. It is anticipated that over 3 million envelopes will be going out of the Brookline Village Post Office each year due to Hearthstone's presence. Its opening should spur the economic revitalization of Brookline Village.

The development has been built to maintain the human element of the existing neighborhood as well as to be the centerpiece of the future urban developments planned by the Authority to the north and east. The buildings were designed by Imre and Anthony Halasz. The Design Review Board for this complex is Pietro Belluschi, Dean Emeritus of the School of Architecture and Planning, M.I.T.; Hideo Sasaki, former Chairman of the Department of Landscape Architecture at Harvard University; and Norman Collings Fletcher, partner in the firm of Architects Collaborative, Cambridge. The complex should return to the Town \$250,000 yearly in taxes when completed. This year \$81,420 was paid on the partly completed complex.

### *Moderate Income Housing Project*

The moderate income housing portion of the development is located between Kent Street on the northwest, Brookline Avenue Playground on the northeast, Brookline Avenue on the southeast and Pearl Street on the southwest. The architect is Sert, Jackson and Associates. Jose Sert, the senior partner of the firm, is Dean Emeritus of the Harvard School of Architecture. In 1970 the developer of this project filed with FHA the documents necessary to obtain below market funds with which to finance this project. While

awaiting Federal funding the architects have restudied the site and presented to the Authority for review at the end of 1970 a new site plan.

This plan which has yet to be approved by the Authority makes provisions for 233 low and moderate income apartments for families and 154 units for the elderly. The advantages of the site are fully utilized both by enclosing the MBTA Riverside line to recover usable land area and by orienting each apartment toward the surrounding parks. This is one of the few projects in the country which has received a Federal subsidy with which to build an air rights platform over a public right of way such as the MBTA Riverside tracks.

This housing will serve as a major relocation resource for families who may be displaced as a result of the proposed nearby Cameron Urban Renewal Project. The complex will be developed as a cooperative or condominium complex.

The Authority is now analyzing this proposal. The principal concern of the Authority is whether the increases in density and height are proper for the area.

### *Urban Design*

In 1970 the Authority completed an Urban Design Study for the Marsh Project which explored the design and development potential of Brookline Village. Consideration was given to the most appropriate land uses in connection with adjacent areas, the separation of through, local and service traffic, pedestrian circulation as well as the general enhancement of the environment.

The study was done under the supervision of Professor Wilhelm von Moltke, a well-known expert in this field and a Professor of Urban Design at Harvard University. A good deal of the decision making turned on the results of the Selectmen's Traffic Study which was completed late in 1970. The von Moltke study proposes to use the land located between the Hearthstone office complex and the moderate income housing development for prestige office buildings with ancillary commercial facilities. A high rise motel is proposed for the area near the southern terminus of Brookline Avenue at the intersection of Washington Street.

Behind this development is proposed a new service street and public parking facility with grade level provisions for relocated service industries. Pedestrian circulation within this area would occur on the interior at an elevated level which would extend to the recently completed Hearthstone Plaza and pedestrian bridge across Washington Street to the adjacent Farm Project. A heated and air conditioned shopping mall could be developed along this



interior circulation system. In time the pedestrian routes could be enlarged to create traffic-free circulation systems for the Village. The study also recommends that an overpass be built over Route 9 from Washington Street to High Street to provide for the separation and uninterrupted flow of both the heavy regional east-west traffic and the local north-south traffic.

### *Acquisition, Relocation and Management*

The Authority has acquired 247,323 sq. ft. of land in the Marsh Project Area from private owners who were paid to date the amount of \$1,482,842 for these acquisitions. Most of the remaining property to be acquired is owned by the Town.

The Authority's property management program involves a wide range of duties. In general the Authority must provide the whole gamut of activities of an active real estate organization. At present all housing within the project area has been demolished, thus the Authority's management activities now concern mainly industrial service-type buildings.

Everyone formerly living on the Marsh site has been relocated, both families and individual households. Only a handful of the original businessmen remain. Those businesses now on site will be relocated within the project area to a new industrial service building. In 1970 the Authority spent a good deal of time and effort working with these businessmen on their relocation needs and how these needs could be incorporated into the new planning for the Marsh Project Area.

### *Public Works*

In 1970 the Authority drew up plans and specifications for reconstruction of part of Pearl Street and for such coordinate improvements as installation of new water mains, catch basins, curbs, sidewalks, excavation and site clearance. Plans and specifications were also drawn up for the cleaning, relining, testing and sterilizing of the existing water mains in Washington Street, Brookline Avenue and Kent Street with provision for a temporary water system while the work is in progress. This work was put out for public bid. Work on these improvements has already commenced.

### *Financing*

In 1970 the Brookline Redevelopment Authority issued its First Series 1970 Notes in the principal amount of \$1,300,000 at 3.16% interest to the Morgan Guaranty and Trust Company, New York, New York, the lowest public bidder for same.

This year the Authority paid off its First Series 1969 Notes in the principal amount of \$1,185,000 at 5.5% interest to the First National City Bank of New York.

The Redevelopment Authority received from the Dept. of Housing and Urban Development capital grant payments in the amount of \$386,000.

### THE FARM PROJECT

In 1970 the necessary financial, accounting and contractual steps were taken to close out the Farm Project with the Dept. of Housing and Urban Development. A Certificate of Completion was issued to the Northbrook Development Corporation and the Brookline Farm Corporation d/b/a The Farm Development, the developers of Brook House. Prior to the delivery of the Certificate of Completion the Authority worked out a tri-partite agreement with the Farm Development and the Brookline Cooperative Housing, Inc. whereby the Farm Development agreed to take responsibility for completing or correcting certain items relating to the Farm Project. The areas with which the Authority were principally concerned were improvements to the sewer system, parking, garage ventilation, landscaping and certain corrective work to Brook House.

In 1970 the improvements to the balcony portions of the Co-op necessitated by the spalling brick were completed. Most observers agree that as a result of these repairs the buildings have been improved from both a structural and aesthetic point of view.

Remaining to be completed is the pedestrian bridge over Washington Street. If the necessary approvals from the Selectmen, Planning Board and Town Meeting are obtained, construction on this improvement could commence in 1971. The overpass will be constructed by the Town. However, the Town will be given a non-cash credit toward the cost of this improvement.

Prior to urban renewal the Town received only \$54,000. a year in taxes from the entire Farm Project area. In 1969 the Town received \$401,800. in taxes from Brook House alone. When the Brook House complex is completed, the Town should receive over \$700,000. a year in taxes from these properties.

The Town's  $1/3$  share of the Farm Project amounted to approximately \$917,600. of which only \$439,404. was paid in the form of cash. The State is reimbursing the Town \$458,864. toward the cost of the Farm Project over a twenty year period. Thus, within one year of its completion the Farm Project will return to the Town in taxes an amount greater than the Town's total cash contribution to Project Costs.

It is clear, therefore, that from a financial point of view the Farm Project is a success. More important than its financial success is the fact that the Farm Project has been recognized as a leader in urban renewal planning. The

Farm Project is the first economically integrated project in the country containing high income, moderate income and low income apartments on the same site. About half of the original Farm residents have been relocated into the new low and moderate income housing units. Most of these families and individuals moved directly into their new homes as a result of a staggered demolition program. This below market moderate income housing complex was developed and organized under a cooperative form of ownership, the first of its kind in Massachusetts.

## OTHER PROJECTS

### *Relocation for New Pierce School*

In 1970 the State Bureau of Relocation approved the relocation plan drawn up by the Authority for the Pierce School taking. The Authority had agreed, at the Town's request, to administer the relocation and property management aspects of the new Pierce School program.

Relocation benefits under State law are not as beneficial as those received under a Federal urban renewal program. The Authority felt that it was inequitable for persons and businesses in Brookline forced to relocate to receive different benefits depending on their location. The Authority therefore met with various Town agencies in order to convince these other agencies that Brookline should pay the same benefits as were received under urban renewal programs. As a result an article was inserted in the warrant for the Special Town Meeting of June 16, 1970 authorizing the Selectmen to petition the State Legislature to pass special legislation in this regard. Town Meeting approved the article. Thereafter special legislation was filed with the General Court which was passed and signed permitting the Town to pay to families and businesses displaced the same benefits paid under a Federal urban renewal project.

As of December, 1970 all residents and businesses except one family and one business have been relocated. The remaining family now on site has purchased a home to which it will be moving shortly. The remaining on-site businessman has entered into an agreement to purchase a nearby building and is making plans to renovate this building.

### *Central Village Rehabilitation Program*

In 1970 the Authority prepared an application to be filed with the Dept. of Housing and Urban Development for funds to do an urban renewal rehabilitation project for the Central Village. The Central Village improvement area includes that portion of the Town north of the Riverside MBTA line and generally bounded by Cypress Street, School Street and Aspinwall



Avenue. The Community Renewal Program pointed out that serious structural and environmental problems exist in this part of Town and are a detriment to the entire area. The application calls for rehabilitation and conservation with very little clearance. As part of this program a Project Area Committee will be appointed consisting of residents and local businessmen who will work with the Authority in all decision making and planning for the project.

Prior to finalizing the application the Authority worked closely with the Council for Planning and Renewal. An open public meeting for residents and businessmen of the Central Village area was called by the Council to discuss the proposed project. Notice of this meeting was published in the *Brookline Chronicle-Citizen* and invitations were mailed to 200 citizens and businessmen. A large turnout to this meeting resulted. It seemed to be the consensus of this meeting and other meetings with local groups that an application should be filed.

Under such a rehabilitation project below market interest loans and grants as well as technical assistance would be made available to property owners so that their buildings could be properly rehabilitated. The application calls for new streets, sewer and water systems, and underground wiring. Funds would be made available for public facilities such as parks, schools or community buildings.

#### *Harvard-Aspinwall State Aided Urban Renewal Project*

This project consists of an eight acre site located in Precinct 3 at the junction of Harvard Street and Aspinwall Avenue. The project has a number of advantages which include the possibility of developing 220 moderate income units, 250 private market apartments, with almost no displacement of families and individuals.

This development, together with the new Pierce School directly across from it, offers a most exciting opportunity to further revitalize Brookline Village. After a joint meeting with the Planning Department early in 1970, the Authority drew up a Survey and Planning Application for funds to be filed with the Massachusetts Department of Community Affairs. On August 24, 1970 the Selectmen authorized the filing of this Application. October, 1970 the Planning Board approved the Application and in November of 1970 the Application was filed.

#### *Brookline Village Project No. 3 — Cameron*

A Survey and Planning Application for Brookline Village Project No. 3 (Cameron) has been filed with the Dept. of Housing and Urban Development by the Brookline Redevelopment Authority requesting funds totalling

\$269,281. for the purpose of studying and planning this area of the Town, the renewal of which has for so long been a recognized need. The Cameron Project consists of the twenty-five net acres bounded by Cypress Street on the west, the MBTA tracks and White Place on the north, Washington Street on the east and Route 9 Walnut Street on the south.

In 1970 the Authority members and staff met with officials of the Dept. of Housing and Urban Development in Washington in an attempt to obtain a speedier approval of this project. The Authority was informed that funds for planning this project might be released prior to the end of the Federal fiscal year (June 30, 1971.)

### *Cleveland Circle Air Rights*

The Brookline Redevelopment Authority has filed an application with the Dept. of Housing and Urban Development for funds with which to do planning for an air rights development over the MBTA car barn area at Cleveland Circle. The project will require a Federal grant of approximately \$3,334,000. and a local share of \$1,667,000 of which one-half will be returned to the Town by the Commonwealth of Massachusetts over a twenty-year period.

An air rights development on the Cleveland Circle site could provide 600-800 units of badly needed moderate income housing. One of the most striking aspects of this proposal is that the building on air rights would not necessitate the relocation of any families or businesses.

### VIETNAM WAR

Any review of urban renewal activities for 1970 would be incomplete without mention of the fact that the continuance of the War in Vietnam has continued seriously to curtail our efforts. The Authority still believes in the work which it was created to do but much of which has been bogged down. The Authority at the Special Town Meeting in June, 1970, accordingly supported the Article deploring the effect of the War on domestic programs and calling for prompt withdrawal of American forces in order to restore a proper system of priorities.

## BROOKLINE HOUSING AUTHORITY

HARRIET BREMNER, *Chairman*

JOHN W. KICKHAM

JOSEPH SLOTNIK

THERESA J. MORSE

REV. MSGR. FRANCIS J. SEXTON

The Brookline Housing Authority submits this report of its activities, receipts and disbursements for the year ending December 31, 1970, pursuant to the provisions of Section 29 of Chapter 121b of the General Laws of the Commonwealth.

At a Special Meeting in Lieu of the Annual Meeting of March 23, 1970, the following officers were elected for the ensuing year; Harriet Bremner, Chairman; John W. Kickham, Vice Chairman; Joseph Slotnik, Treasurer; Theresa J. Morse, Assistant Treasurer and Rev. Msgr. Francis J. Sexton, Assistant Secretary. Thomas J. Connelly was reappointed as Executive Director and Secretary and Edgar L. George as Assistant Executive Director and Superintendent of Maintenance. Harriet Bremner was reelected as a Member of the Authority for a five year term at the Annual Town Election of March 3, 1970, and Msgr. Francis J. Sexton was elected for a three year term to fill the unexpired term of Robert S. Weeks, Jr.

### VETERANS DEVELOPMENTS 200-1-1A-2

On December 3, 1970, the Authority made a payment of \$10,476.00 in lieu of taxes for 1970 to the Town of Brookline. On March 15, 1970, the Authority's fiscal agent received \$18,777.83 from the Commonwealth of Massachusetts and on September 15, 1970 the balance of \$44,872.17 (Total \$63,650.00) as its proportionate share of subsidy to aid the Authority in meeting the cost of debt service for 1970.

The developments are fully occupied. During 1970 there were 94 new applications received for tenancy while 41 vacated their apartments during the same period. Fifteen of those vacating were required to move as their incomes were above the legal limit for continued occupancy. Income limits for admission and continued occupancy remain the same. The Department of Community Affairs has been petitioned for an upgrading of such income limits, however such increases have not yet been granted.

The Modernization Program continued during the year; the bathroom tiling and installation of showers in all units was completed, 46 kitchen sinks and kitchen floors were installed; and 45 bathroom floors completed. It is anticipated that the modernization will continue until all apartments are completed if the necessary funds are forthcoming from the Commonwealth of Massachusetts.



## HOUSING FOR THE ELDERLY 667-1

The Marion Street Housing for the Elderly (Colonel Eugene B. Floyd Memorial Apartments) is fully occupied. Nine apartments became available during 1970 due to the death or move-out of tenants.

On March 31, 1970, the Authority's fiscal agent received \$28,400.00 from the Commonwealth of Massachusetts as its proportionate share of subsidy. An additional \$14,200 for the fiscal year ending March 31, 1971 has been allocated by the Department of Community Affairs in accordance with recent legislation.

Chapter 853 of the Acts of 1970 of the Commonwealth provides that no elderly person of low income living in any state-aided development shall be required to pay more than 25% of income, with utilities, for rental purposes. The provisions of this Act will be initiated by the Brookline Housing Authority promptly.

## FEDERAL LOW RENT HOUSING AND HOUSING FOR THE ELDERLY MASS.-33-1-2-3

The Walnut Street Federal Low Rent Housing, Mass.-33-1, is fully occupied. Seven apartments became available during 1970 while 43 new applications for tenancy were received during the year. On December 31, 1970, a payment in lieu of taxes for 1970 in the amount of \$9,418.90 was made to the Town of Brookline.

The painting of all apartments has been completed. The heating system has been converted from oil-fired to gas-fired and is operating efficiently; it is anticipated that this conversion will eliminate heat and hot water failure. A program of cost and feasibility for a second elevator has been submitted to the Federal authorities and specifications are being reviewed at this time.

The MASS-33-2 Housing for the Elderly at Pleasant Street, "Sussman House" is completely occupied. During 1970, 120 new elderly applications for tenancy were received while 6 apartments became available due to death or move-out of tenants.

The MASS-33-3 Housing for the Elderly at 61 Park Street, "Arthur A. O'Shea House" was occupied during September of this year. The official dedication of the building was held on October 25, 1970. Three apartments have become available due to death or move-out of tenants.

Annual subsidy received from the Federal Government for MASS-33-1 and MASS-33-2, amounted to \$163,144.57.

Income of all elderly tenants and low income families in federally-aided developments has been reviewed and adjustments in rentals made in accordance with the provisions of the "Brooke Amendment".

#### LEASED HOUSING PROGRAM — MASS-33-4

The Federally-aided leased housing program has progressed satisfactorily. At December 31, 1970, all of the 100 allocated units have been leased. The subsidy from the Federal Government for this program amounted to \$83,981.33 for 1970.

Every effort is being made to secure an additional allocation under this program.

#### FEDERAL LOW RENT HOUSING AND HOUSING FOR THE ELDERLY MASS-33-5(D)

Preliminary Loan funds in the amount of \$70,000 have been received for the 175 units consisting of 150 elderly and 25 units of large family housing. Tentative site approval was granted and an option to purchase has been exercised. The Development Program, a feasibility study, along with schematic design documents, is awaiting approval of the Federal authorities.

#### STATE RENTAL ASSISTANCE PROGRAM — 707

24 units of housing under this program are occupied. A total of \$9,443 has been received from the Commonwealth as subsidy. Negotiations with owners continue.

#### SOCIAL SERVICES

The Brookline Multi-Service Senior Center under the direction of Mrs. Evelyn Greenman, continues to provide a variety of services to the Senior Citizens of the Town, both in and out of the housing developments. In addition to the office located at 50 Pleasant Street (Sussman House), there is now a staff at 61 Park Street (O'Shea House). There is no charge for these facilities. Representatives of the Visiting Nurses Association, Department of Public Welfare, Veterans' Services, Family Counselling, Recreation Department and the Housing Authority, on-site Social Worker, work in close co-operation with the Multi-Service Senior Center.

Many diversified activities sponsored by Town Agencies are carried out at all developments of the Housing Authority. New programs initiated this year include the volunteering of a local Boy Scout Troop assisting the elderly by running errands and performing other small jobs (household work not included). As the project progresses, more of the senior citizens may avail

themselves of the services of these boys. The Girl Scouts hope to also start such a project of assistance in the near future.

The Brookline Post Office initiated a unique "Mini Post Office" for all developments, particularly the elderly, to assist tenants with their Christmas mailing.

The Brookline School Department and its Adult Education Division have presented many interesting and educational programs for the Senior Citizens at their respective developments. It is anticipated that this program will be expanded as the tenants learn of these enjoyable activities.

The Brookline School Department, in conjunction with the Multi-Service Senior Center, provides hot lunches for which all senior citizens of the Town are eligible. To make this a year around program, the facilities of the elderly developments in the Town are provided during the summer months when the local schools are closed. In this way, the program remains on-going.

The summer youth program continued during 1970 with 11 youths participating. Funds for this program were provided by the Department of Housing and Urban Development.

The Pride Sheltered Workshop provided by the Brookline Association for Mental Health, has relocated to the Arthur A. O'Shea House. Larger and more modern facilities were made available to the Workshop by the Brookline Housing Authority. Senior Citizens from the neighborhood, as well as the housing developments, participate in this most worthwhile endeavor. We look forward to continued expansion of this program. There is no charge to the sponsors of this program for the use of the facilities.

The Brookline Housing Authority and its advisory Tenants Council, in conjunction with the Brookline Tenants Association, continued to work in close cooperation to improve communications, working relationships and general conditions between the Authority and tenants. Representatives of the Tenants Council who are elected by the individual tenant organizations, as well as representatives of the Brookline Tenants Association, attend all scheduled meetings of the Brookline Housing Authority and whose opinions we value.

TASK (Teen Aged Serving Kids) is in its second year of operation at the Egmont Street Development; there are three groups of children now included in their activities. 30 teenagers from the high school have volunteered to work in this program, with 8-10 assigned to each group of children and 1



or 2 teachers as over-all supervisors. An additional program is being planned for the Walnut Street development when supervisors can be made available. A Big Brother and Big Sister program is a new addition to the program. Over 60 Brookline High School and elementary school children are involved with one another in a helpful, meaningful manner.

An on-site Social Worker is available to all tenants for consultation on social and economic problems. It should be noted that the work-load of this worker has increased considerably during the past year with the additional number of units under management. The services of this man have been invaluable to both the management and the tenants.

The monthly meetings continue to be held with Social Workers of the Department of Public Welfare, Director of Veterans' Services, the Director and Nurses of the Brookline Visiting Nurses Association, Multi-Service Senior Center, the on-site Social Worker, a Doctor from the Brookline Mental Health Clinic, and the Executive Director of the Brookline Housing Authority. Elderly tenants, as well as the youths of the developments, have been assisted in many and varied situations.

The Recreation Department has continued to provide a wide range of programs in all of our housing developments. This includes morning pre-school programs, afternoon programs for older children and even programs for teen-agers. The elderly tenants are involved in the Golden Age Club, as well as many other activities and trips sponsored by the Recreation Department. Arts and Crafts classes are also provided for the elderly.

Balance Sheets for Projects 200-1-1A-2, 667-1 and MASS-33-1-2-3-4 for the year ending September 30, 1970, are attached hereto and made a part hereof.

## BROOKLINE HOUSING AUTHORITY

### BALANCE SHEET — PROJECT 200-1-1A-2

September 30, 1970

#### ASSETS

#### Cash

Administration Fund .....	\$ 50,757.25
Administration Fund-Savings Accts. ....	15,553.99
Petty Cash Fund .....	50.00
Change Fund .....	25.00
	<u>\$ 66,386.24</u>

#### Accounts Receivable

Tenants' Accounts .....	76.01
Sundry .....	4,000.00
	<u>\$ 4,076.01</u>

*Fiscal Agent Funds*

Debt Service Fund .....	100,870.00
Debt Service Trust Fund .....	1,334.87
	<u>\$ 102,204.87</u>
Revolving Fund Advance .....	11,000.00

*Investments*

Debt Service Trust Fund .....	31,000.00
Administrative Fund .....	165,562.50
	<u>\$ 196,562.50</u>

*Deferred Charges*

Prepaid Insurance .....	3,297.25
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*Development Cost*

Development Cost .....	3,346,000.00
less: Cost Liquidation .....	1,188,000.00
	<u>\$2,158,000.00</u>

TOTAL ASSETS .....	<u>\$2,541,526.87</u>
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## LIABILITIES

*Accounts Payable*

Administration .....	\$ 4,083.56
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*Accrued Liabilities*

PILOT .....	7,857.00
Matured Interest and Principal .....	100,590.00
	<u>\$ 108,447.00</u>

*Undistributed Credits*

Tenants' Security Deposits .....	\$ 7,275.00
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*Fixed Liabilities*

Bonds Authorized .....	\$3,346,000.00
less: Bonds Retired .....	
Bonds Outstanding .....	<u>1,188,000.00</u>
	<u>\$2,158,000.00</u>

*Reserves*

Debt Service .....	\$ 122,800.00
Unamortized Bond Premium .....	32,614.87
Operating Reserve .....	75,509.82
	<u>\$ 230,924.69</u>

*Surplus*

Earned Surplus (Deficit) .....	\$ 32,796.62
TOTAL LIABILITIES & CAPITAL .....	<u>\$2,541,526.87</u>

## BROOKLINE HOUSING AUTHORITY

## BALANCE SHEET — PROJECT 667-1

September 30, 1970

## ASSETS

Cash	
Administrative Fund .....	\$ 10,668.96
Accounts Receivable	
Sundry — State Aid .....	14,200.00
Fiscal Agent Funds	
Revolving Fund Advance .....	2,000.00
Investments	
Administration Fund .....	9,061.40
Deferred Charges	
Prepaid Insurance .....	2,413.02
Development Cost	
Development Cost .....	710,000.00
less: Cost liquidation .....	108,000.00
	<u>\$ 602,000.00</u>
TOTAL ASSETS .....	<u>\$ 640,943.38</u>

## LIABILITIES

Accrued Liabilities	
Matured Interest & Principal .....	\$ 25,630.72
Undistributed Credits	
Tenants' Security Deposits .....	225.00
Tenants' Prepaid .....	224.00
	<u>\$ 449.00</u>
Fixed Liabilities	
Bonds Authorized .....	710,000.00
less: Bonds Retired .....	108,000.00
	<u>\$ 602,000.00</u>
Reserves	
Debt Service .....	22,258.50
Operating Reserve .....	(6,683.17)
	<u>\$ 15,575.33</u>
Surplus	
Earned Surplus (Deficit) .....	(2,711.67)
TOTAL LIABILITIES & CAPITAL .....	<u>\$ 640,943.38</u>



## BROOKLINE HOUSING AUTHORITY

## BALANCE SHEET — PROJECTS MASS. 33-1-2-3-4

September 30, 1970

## ASSETS

*Cash*

Cash — General Fund .....	\$ 10,222.62	
Petty Cash .....	50.00	
Change Fund .....	25.00	\$ 10,297.62

*Accounts Receivable*

Contribution for Elderly Tenants .....	890.00	
Revolving Fund .....	30,000.00	
Sundry .....	1,750.92	\$ 32,640.92

*Debt Amortization Funds*

Debt Service Fund .....	8,241.25	
Advance Amortization Fund .....	242.33	
Annual Contributions .....	89,451.70	\$ 97,935.28

*Deferred Charges*

Prepaid Insurance .....	7,306.88	
Prepaid Employee Benefits .....	3,671.12	
Inventory — Materials .....	3,549.08	\$ 14,527.08

<i>Land, Structure &amp; Equipment</i> .....	\$5,354,563.24
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TOTAL ASSETS .....	<u>\$5,509,964.14</u>
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## LIABILITIES

*Accounts Payable*

Vendors and Contractors .....	\$ 341.25	
Contract Retentions .....	74,400.62	
Security Deposits .....	7,000.00	
Other — HUD .....	2,824.55	\$ 84,566.42

*Notes Payable*

Temporary Notes .....	2,100,000.00
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*Accrued Liabilities*

Accrued Interest — Temporary Notes .....	14,231.00	
Accrued Payment in Lieu of Taxes .....	9,418.90	23,649.90

*Deferred Credits*

Prepaid Fixed Annual Contribution .....	57,805.00	
Tenants Prepaid Rent .....	4,634.35	62,439.35

*Fixed Liabilities*

Permanent Note — HUD .....	7,448.13	
Bonds Issued .....	3,120,000.01	
less: Bonds Retired .....	245,000.01	2,875,000.00
		2,882,448.13

TOTAL LIABILITIES .....	<u>\$5,153,103.80</u>
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*Surplus*

Unreserved Surplus .....	(\$731,397.02)	
Operating Reserve .....	21,819.36	
Operating Reserve — Leased Projects .....	2,500.00	
Total Surplus from Operations .....		(\$707,077.66)
Cumulative Contributions Debt Service .....	911,062.75	
Cumulative Contributions — Leased Projects .....	148,487.58	
Cumulative Contributions for Elderly — Leased ....	3,497.12	
Cumulative Contributions for Elderly .....	890.55	
and Displaced .....		1,063,938.00
TOTAL LIABILITIES AND SURPLUS .....		<u>\$5,509,964.14</u>

## COUNCIL ON AGING

LOUISE M. CASTLE, *Chairman*

HARRIET BREMNER

GEORGE V. BROWN, JR.

MADISON DYER

HENRY M. GREENLEAF, M.D., M.P.H.

EVELYN GREENMAN, *Secretary*

RABBI MANUEL SALTZMAN

REV. MSGR. FRANCIS J. SEXTON

ROBERT I. SPERBER

JEAN WALDSTEIN

HELEN WILLOUR

During the past year, 1970, the Council on Aging meetings have been highlighted by reports from municipal departments, and other agencies, which provide services to senior citizens. These reports were presented by the Housing Authority, the Health Department, the Visiting Nurse Service, the Recreation Department, the School Department, the Massachusetts Department of Public Welfare, and the Mental Health Clinic. In this way, all members of the Council, as well as the regularly invited guests, became informed about the broad range of resources available to our older residents. These meetings enabled the Council to effectively plan programs for the elderly on a coordinated, comprehensive basis, eliminating duplication of services and costs.

Creative planning for the delivery of existing services on a teamwork basis into the neighborhoods where the elderly live, results in our older residents being able to remain living independently in their own homes as long as possible, without becoming subjected to the emotional and financial heartbreak of institutional living.

## INFORMATION AND REFERRAL SERVICE

The primary direct service rendered by the Council is the Information, Referral and Counseling service. This service enables fast-growing numbers

of older persons to find assistance and solutions to a wide variety of routine and emergency situations. Prevention and early treatment of health and social problems result.

#### MULTI-SERVICE SENIOR CENTERS

In August, 1970, the second Multi-Service Senior Center opened at the Arthur O'Shea House, 61 Park Street. The Housing Authority provided an accessible and attractive suite of offices, from which the tenants as well as older residents of the neighborhood are being offered a wide range of services and programs.

In addition to an Information, Referral and Counseling service, there is a Health Maintenance Program (by the Visiting Nurse Service); Group Therapy (by the Jewish Family and Children's Service); Individual Consultation on personal and family crises (by the Mental Health Clinic); weekly programs by Adult Education and by the Recreation Department.

The Multi-Service Senior Center at Sussman House, 50 Pleasant Street, continues to bring to the highly populated Coolidge Corner area a comprehensive program of services and programs provided by Brookline's public and private agencies.

#### SENIOR LUNCH PROGRAM

The Devotion School cafeteria remains open each day after the children have been served, in order to provide a hot, nutritious meal to elderly persons. The cost to each person is 50¢ per meal.

There is evidence ("Nutrition and Aging" by S. H. Howell, M.P.H.) that the emotional, behavioral and intellectual disorders seen in older adults may be associated with an inadequate and unbalanced diet. Our Senior Lunch Program aims to meet the nutritional needs of many older persons who live in rooms in the Coolidge Corner area. The cost of this program insures the government against very expensive nursing home or hospital care.

Since the problems of older persons are intertwined and complex, three Community Aides work at the school each day, during and after lunch, to accomplish "case finding" and to make referrals to community resources for health, social and recreational programs.

This is a most valuable use of school facilities.

#### EMERGENCY I.D. CARDS

Due to the breakdown of family life and inter-generational living together, elderly persons are often living alone. It became necessary to develop and distribute Emergency Medical I.D. cards of wallet size for our elderly residents.



Over a thousand such cards have been distributed to date. The admitting offices and emergency rooms of hospitals, the police, and firemen will find these cards, with vital pertinent information, of invaluable assistance in emergency situations.

#### SERVICE TO OTHER AGE GROUPS

In serving the elderly, we are in reality serving at other age levels as well. Concerned neighbors, worried relatives and friends seek our help for elderly persons. By upgrading the lives of the elderly, all residents of the Town benefit.

# Schools

## SCHOOL COMMITTEE

THOMAS P. KENDRICK, M.D., *Chairman*

OWEN M. CARLE, *Vice-Chairman*

JACQUES M. DRONSICK

THOMAS P. HENNESSEY

RAYMOND T. McNALLY

ROBERT I. SPERBER, *Superintendent of Schools*

VIOLA R. PINANSKI

ALETTE E. REED

JOSEPH ROBINSON

LEON TRILLING

“It was in making education not only common to all, but in some sense compulsory to all that the destiny of free republics of America was practically settled.” James R. Lowell, “Literary Essays.”

Members of the School Committee are constantly appraising what it means to be a Brookline citizen.

As a new decade begins, Americans in many towns caught in an inflationary cycle, are reassessing their priorities and reexamining what it means to be a citizen in their town. In a very practical sense, our school system is the key social agency, serving not only its 7,000 students, but a total population of 53,608, from pre-school years to the elderly.

This issue of “Your School Committee Reports” will be devoted to an examination of the role played by the schools in 1) basic teaching services, 2) extra services for children, and 3) services to the community at large.

It is only if we are aware of all the components which give Brookline its deserved reputation for excellence in education that we can mandate the direction the town shall take.

### *What Kind of Children Go To School in Brookline?*

Brookline attracts a higher proportion of families with incomes below \$8,000 according to 1968 figures from Sales Management Magazine. 34.9 per cent of Brookline families have incomes (after taxes) below \$8,000. There are 13.7% with incomes under \$5,000 and 5.7% under \$3,000. Families with \$10,000 cash buying power or less amount to about half of the Brookline

population. Newton and Wellesley, to compare similar towns, have town-wide average incomes of \$18,273 and \$21,620 respectively as compared with Brookline's town-wide average of \$16,518 (after taxes). Needham's is comparable at \$16,561.

Eighteen per cent of Brookline school age children went to private schools, as of 1967, corresponding closely to 21 per cent in Massachusetts. Watertown matched Brookline, and Newton also counted 18 per cent of its students in independent schools.

Among 49 communities in Massachusetts with school enrolments over 6,200 pupils, we stand 30th in equalized tax rate, 38th in official tax rate, 47th in equalized school tax rate, and last in official school tax rate. We rank 42nd in per cent of taxes for schools and although we are first in per pupil expenditure, we are also first by more than \$20,000 over the second place community in equalized valuation behind each child.

Brookline spends 32.6 per cent of its tax revenue for schools, as compared with 29.9 per cent ten years ago. Newton is spending 49 per cent this year, and Needham, 58 per cent.

### *Increasing Trend Towards Continuing Education for High School Students*

All the trends toward an increasing commitment to continuing education beyond high school are positive in a recent follow-up study of Brookline High School graduates during the period 1960-68. The Brookline Guidance Department reports an increase of 13 per cent during this period in the number of graduates entering degree-granting institutions.

During this same period there was an increase of nine per cent in students continuing their formal education beyond high school. At the present time 88 per cent of all Brookline High School graduates continue their education beyond high school graduation. This compares with 79 per cent in 1960, and the study indicates a sharp increase during the past two years.

Another trend was evident in the sharp increase in students entering junior colleges. From 1964-68 the number of pupils entering state community colleges directly from high school had doubled. Roger F. Aubrey, Director of Guidance, feels this probably reflects the increase in the number of community colleges as well as the financial burden on parents for college expenses and undoubtedly will increase in future years.

The study also revealed from 1964-68 an increase of ten per cent in students entering four-year colleges. Of these students an increasing number



are selecting state colleges. This, too, reflects the increased cost of a college education and in addition the greater competition for admission to private colleges nationally.

A parallel study of Brookline graduates' success in admission to leading colleges and universities during the period 1960-68 was also conducted by the Guidance Department. This study revealed Brookline graduates have shown great consistency in being admitted to such leading schools as: Harvard, Brandeis, Brown, Columbia, M.I.T., Radcliffe, Smith, Vassar, and so on. Each year from 1960-68, approximately one-third of all college-bound seniors have matriculated to this type of school. Over this period Brandeis, Tufts, and Harvard have been the top three choices of Brookline graduates.

### *Diverse Student Backgrounds*

Statistics may show the results of Brookline's educational program and methods, but they do not reflect the diversity of student backgrounds. In every school in Brookline test scores can run from low, normal to the genius level. Some families are on welfare, many have middle class incomes and others are affluent. Some parents do not value education as much as others and some apply too much pressure for high marks. Others stimulate their children's intellectual curiosity as the teachers try to do. English is sometimes not spoken at home. One hundred and twenty non-English speaking students are now receiving instruction in English as a foreign language.

### *Individualized Curriculum*

It is easy to see why the majority of our principals polled in a questionnaire this year rated individualization of teaching methods and curriculum as their top priority. Nathan Purpel, principal of the Lawrence School, describes "pressure on teachers to individualize instruction to meet diverse needs."

Mrs. Mary G. Stephanus, principal of the Heath-Baldwin Schools, describes as a major goal getting students involved in real issues which are personally related to their needs.

Dr. Robert J. Newbury, principal of the Baker School, stresses individual student growth by conducting discussion sessions. Teachers introduce ideas, illustrate them with concrete materials wherever possible, and let students draw their own conclusions instead of presenting facts to be learned by rote. Students then decide which of their conclusions are facts and apply these facts to real issues.

## Materials

The social studies curriculum is built around studying culture, not with one textbook, but with films, slides, tapes, records, transparencies, games, plays, and projects. Reading progresses through decodification, or sounding out words. Science leans heavily on manipulative material, and mathematics stresses a laboratory approach. Manipulative materials are used to help students understand relationships among numbers, patterns, and forms. Research has shown that students learn better and retain when they make discoveries with concrete materials. It is difficult for students to learn the abstract concepts of mathematics. They can learn these only after they have had concrete or manipulative experiences.

## *Awareness is Fostered from Kindergarten On*

If there is one goal emerging from that of all Brookline's educators, starting with Superintendent Robert I. Sperber and his associates Miss Ann E. Macdonald and Dr. Ferdy J. Tagle, Jr., and carrying through as one talks and corresponds with School Committee members and faculty, it is to help children develop an awareness, not only with their intellects, but with all their senses.

The high school students are more aware today than ever before, suggests Charles P. Webb, Housemaster of Shailer House. "The typical high school student questions his own existence. He does not accept courses or teachers or discipline, but rather challenges them." He added that young people see the hypocrisy of many things around them and, because of their inability to deal with these social problems, they take out their frustrations on the school.

Student protests at the country's leading colleges indicate that young people moved by an awareness of the world around them have positive contributions to make.

"The Brookline child today is a trained observer of the world around him," writes Caroline P. Hoppin, Resource Teacher for Social Studies. "He is taught to analyze, to predict, and to prescribe. His teachers guide him in the development of a fine critical judgment." This applies to science, English, and mathematics as well as to social studies.

The early elementary child observes and learns to relate to the world around him: gerbils, vegetables, and the children who share his pleasure in watching them grow. Along with a thorough grounding in the three "r"s

goes an invitation to notice how people and objects relate to each other as well as words and ideas.

As the child progresses he finds that he can generalize. At first, he responds directly to each animal or classmate. Later, he starts to be able to predict their behavior and to store in his memory certain patterns of their responses. Instead of reacting specifically to each amusingly awkward attempt of a baby squirrel to bury nuts in a wooden floor with matching eagerness and frustration, he begins to understand that this instinctive animal behavior is not appropriate to a man-made world. He is learning to differentiate behavior.

### *Intergroup Relations*

By grade four, he is ready for Intergroup Relations, developed this year to help him understand differences and similarities between groups and individuals. In the fifth grade, he meets the challenge of "Man: A Course of Study" which exposes him to different concepts of culture among animals and man.

Abstractions are the next step in grades six through eight, as he explores the contemporary world and the implications of conflict and change. These are the intellectual tools for solving problems and making decisions, based on real-life situations. In the eighth grade, units on the black American, poverty, discrimination, underdeveloped countries, and the governing process give him a focus for dealing with abstractions in a concrete way.

As a result of allowing elementary school children to move from step to step by individual progress in kindergarten through grade eight, several high school courses have been reorganized because of the greater awareness of entering students.

### *Crossing Disciplinary Lines*

Building the skills of teachers as resource leaders instead of lecturers crosses not only grade levels but also disciplines. The science specialist at elementary schools goes into the primary grades to show how science kits and exploratory materials work. He goes on field trips with other children.

Mathematics teachers also offer demonstrations in lower grades to help teachers as well as students. The mathematics director works not only in his own field but shows language arts teachers how to use concrete materials in order to prepare children for abstractions. Bead chains, which help to teach



squares, and cubes of numbers; geometry-boards, and blocks are some of the materials which allow children to make their own discoveries rather than learning formulae.

### *New Humanities Program at Pierce School*

Seventh- and eighth-graders at the Pierce School are learning to collaborate in a new humanities program. Each student chooses two courses in branches of the arts for eight weeks. He approaches the field through different media. A drama workshop produces a play, the arts studio designs sets, and the Industrial Arts Workshop builds them, while the homemaking students are making costumes, and music students are providing the score.

### *Drama Adds Depth to English*

English as a subject and general field is drawing more and more upon drama, group dynamics, and the interaction of visual and oral literacy as well as writing skills. Cooperative projects with Brookline High School's English Department and Harvard, Simmons, and Northeastern are giving teachers a chance to explore new curriculum and methods. One hundred students at the High School are taking part in extra-curricular dramatics, 50 in the magazine "Refractions," and 40 in editing the "Sagamore."

### *Poetry Program*

New courses in poetry writing at Pierce and Lincoln Schools, designed to reach fourth- and fifth-graders while their imagination and curiosity still have the vividness of youth are also starting this term, under the direction of Dr. Phyllis Shapiro of Emerson College. Four Brookline teachers will work with 50 students in this elective program.

### *English for the Working World*

The student who needs effective English in order to prepare for the working world will also have new options in English courses. Four-year programs worked out in sequence for non-college bound students place an increased emphasis on critical thinking through precise observation. By analyzing their own experiences orally and in writing and by evaluating films, students gain a deeper commitment through participation. Local colleges have contributed to this program. Joel Weinberg, a professor at Simmons College, has trained Brookline teachers in workshops and in-service programs to stress basic phonics and decoding, or sounding out words. Phonics build a child's ability to recognize a letter and produce the appropriate sound. Professor Mary Bond of Framingham State College shares insights on current teacher training in reading. Specialists Mrs. Jean G. Fleischman and Mrs.

Helen H. Kent are making a new effort to bridge the gap between remedial reading and a program to develop reading skills. Carrying the skills through to the rewards, Dr. I. A. Richards, Professor Emeritus at Harvard, traces the discovery route between decoding and comprehension for young readers as part of an in-service training session.

### *Parents Become Involved*

Parents become involved in a training program for aides. Thirty trained to work in first-grade classrooms once or twice a week. Other parents formed an advisory committee to evaluate the reading program with the Supervisor of Elementary Language Arts as it worked out in each school.

### *Profile on Teachers*

Teachers with more than four years of experience in the English Department make up more than half of the staff. With the stability which they offer, younger teachers with Master's degrees can be recruited to offer balancing gifts of innovation and responsiveness to very young children.

There is a similar diversity in other fields. In social science, Mr. Amoroso has been curriculum coordinator at the American College in Madrid. Miss Leal is an evaluator of curriculum research for the Educational Development Corporation. Helen Walsh is a part-time instructor at Boston State College. Mrs. Sarah Benet is a program director for the World Affairs Council. Mr. Shahan helps to supervise practice teachers coming to Brookline from Harvard. Mr. Kaplan is a jazz musician.

Science teachers come from fields such as ecology, pharmacy, chemistry, medical technology, the Peace Corps, Outward Bound, and the military services.

### *New Teachers Explore New Directions in English*

Going beyond the academic frontiers of language is fostered by teachers who have had experience outside the teaching field. One English teacher has a background in human development via personnel work in industry. Another has served as a reading skill consultant for universities and school systems. The average English teacher at Brookline is 25 or 26 years old with several years' experience in teaching, often in fields outside school systems, such as the Peace Corps.

The more experienced English teachers are in many cases also committed to teaching university students interested in education careers.

### *Student Participation*

Students are showing increased evidences of being able to design their own projects, particularly in English, where they also benefit from helping to establish evaluations of their own progress.

### *Reading Skills Techniques Improve Achievement in Primary Grades*

Brookline has traditionally been committed to serve children of average and lower ability as well as its outstanding students. The reading program launched last year had a significant effect on children with average and lower ability according to Metropolitan Achievement Test results. Further evaluations noted significantly stronger word skills among first-graders. A report from Larry W. Dougherty, Supervisor of Elementary Language Arts will be completed at a later date.

### *Brookline Forms Partnership with Boston College Research Center*

The Center for Field Research and School Services at Boston College, under an agreement with the Brookline School Committee, is helping to establish a research and development system for the town's public schools.

The collaborative effort involves short- and long-range studies of several projects, either contemplated or already underway, on a pilot basis within the school system.

In order to accomplish the objectives — determine what needs to be done, set priorities, and open channels of communication between the Center and the school system — the Brookline Educational Research Council has been formed.

The Council consists of school administrators, teachers, two students, and one member of the School Committee from Brookline, with Professor Vincent C. Nuccio and Professor William M. Griffin representing Boston College.

Professor Nuccio directs the Boston College Research Center. Dr. Griffin, an Associate Professor of Educational Administration at Boston College, also will act as liaison between the Brookline Schools and the Boston College Center.

Brookline members of the Educational Research Council are: Leon Trilling, School Committee; Robert I. Sperber, Superintendent of Schools;



Francis W. McKenzie, Coordinator of Pupil Personnel Services; Roger F. Aubrey, Director of Guidance; Ann E. Macdonald, Assistant Superintendent of Schools for Curriculum and Instruction; David W. Parfitt, Director of Science; Donald H. Murphy, Lawrence School; Timothy Graves, Principal of the Pierce School; Sophia Lane, mathematics department at Brookline High School; and two students, Michael Paley and Martin Wallace.

### *Language Goals Change*

Like English, foreign language goals are taking on new dimensions. An approach which includes skills in listening and speaking and familiarizes one with another culture is a modern-day need. Pursuit of such aims requires much exposure to audio-visual aids in the form of tapes, filmstrips, films, transparencies, and the like. "It is literally true," reports the Director of Foreign Languages Paul Guenette, "that the *Voix et Images* program could not go on without some of these aids."

More and more students are being exposed to basic intercultural understanding through experiences such as field trips to museums, theaters, and restaurants. Students from one school, for example, spent a week in Quebec. Some sixty students from the High School will be spending ten days in France or Spain during the spring vacation. The feasibility of summer exchanges with students in France and Germany is being explored.

### *New Directions in Mathematics*

Mathematics is more of a foreign country to parents than it is to children who are learning new techniques aimed at solving problems rather than learning tables. Like the grammar of a language when it is absorbed during discoveries, mathematics relationships are explored from many sides, so that sometimes students point out a principle before a teacher realizes that he is teaching it.

The materials for teaching mathematics take children on expeditions with balances and counting rods, blocks, and Montessori beads. They learn through their senses rather than through repetitive drills.

Although mathematics courses are not required for graduation credits from Brookline High School, except as by college admissions, they attract nearly all freshmen and sophomores and four out of five juniors. Add half of the seniors, and mathematics concerns some 2,054 students in the High School.

Programmed materials allowing general mathematics students and basic algebra pupils to learn at their own rates have reduced high risks of failure. Two hundred and fifty students are involved with these learning aids.

The computer, a time-shared electronic program applying technology to course work, will give at least 50 able students a chance to work on computer techniques.

The examination results of advanced placement students of mathematics over the past three years show that of 50 students taking the examination, 43 received scores for which colleges have granted advanced standing.

### *Mathematics Books are in Increased Demand*

Signs of the increasing interest in mathematics are the growing numbers of books in the field on demand in elementary and high school libraries. Films, overhead projectors, audio-tapes, and other materials are also in increasing demand. Next step: mathematics corners for school libraries to give students quiet places to work on self-assigned problems.

### *Science is Laboratory and More Laboratory*

Harvard Project Physics laboratory experiments are sparking interest in science programs. Subjects which rated top interest among scientists in Boston for the American Association for the Advancement of Science meetings this year were ecology, pollution, and conservation, in the light of the spiraling population problem of the world. They have long been a preoccupation also among Brookline science students.

Oceanography is also a growth subject among Brookline science pupils. A new course is being offered at the ninth-grade level with eight sections taught by three teachers.

A combined discipline, two-year sequence of chemistry and physics now in its second year, is being evaluated in comparison with a control group of one year of chemistry and one year of physics for another group of students among sophomores and juniors. The real test will come when seniors exposed to the Unified Chemistry-Physics program will show whether they have a better background for Advanced Placement in senior year.

### *History Curriculum Revisions*

"In 1970, three half-year credit seminars will be offered: Economics, Philosophy, and Black Studies, open to juniors and seniors. Our Area Studies

course offerings include Asian Studies, Latin American Studies as well as in-depth study of China, India, and specific African nations in World History II."

If that does not sound like a college catalogue, you have not been reading one lately. Actually it is from the Brookline High School educational opportunities manual. American History and Literature, an intellectual history course on the Modern World, combined with the seminars on other continents, are the results of four summers of curriculum workshops undertaken in order to revise the complete structure of social studies and history teaching.

"The Social Studies at Brookline High School recognize the definition of man as 'life being aware of itself,'" writes John J. Amoroso. The cultivation of awareness of self and others runs, as we have noted, from kindergarten through the whole range of student preparation. Mr. Amoroso's aim is practical, meeting both academic requirements and the individual and group needs of contemporary society.

Social studies courses are approached inductively, with a wide battery of problem-solving, role-playing, and active experimental methods of teaching.

Heterogeneous grouping of history courses fits the many-sided nature of society, Mr. Amoroso comments. "Our rationale is related to the real need for communication and understanding, regardless of the economic, social, or ethnic backgrounds, which often serve as barriers to education within a traditional tracking system."

Close relations with professional colleagues at Simmons and the Harvard School of Education have brought dividends for both sides.

### *Creative Arts*

Awareness of environment is again a key to the teaching of art in Brookline. The newest additions are courses in film-making. A professional photographer is working with seventh- and eighth-grades in the "Arts/Six" program at Lawrence School. Other schools are taking note.

Artists come into classes to demonstrate sculpture, the potter's wheel, silk screening, enameling kilns and a wide variety of creative skills. These art forms are also studied as originals, as reproductions, and in films by students, before and after they try their own hand at these techniques.



### *Technical-Vocational Program Expands*

Our first graduates of the four-year Technical-Vocational program will be receiving their high school diplomas this June. The success of the Technical-Vocational program shows in an enrolment which has grown from 160 to 215 students during the past year. Coordinator John Ryan describes a team spirit among technical-vocational teachers unrivalled in the High School. They constantly seek new approaches and materials and are "sympathetic, sensible, energetic people who attract and 'turn on' vocationally-oriented youth," says Mr. Ryan. The administration has reinforced teachers' ability by making them feel free to try out new ideas.

### *Food Service*

Six seniors will graduate from the Food Service program this year, and all of them will seek further training, although four years ago predictions were made that most would not complete ninth grade. A total of 44 students are working in the cafeteria and the community.

### *Business Practice*

In Business Practice, a girl who was so shy that she repeatedly stayed away from school is now working part-time for a large company, meeting many personnel demands. She has also been getting A's and B's at Brookline High School this year. Business Practice students total 120 in classes of not more than 15 in number. This year there is a classroom in the Town Engineering Department. A number of Brookline and Metropolitan firms hire others.

### *Child Care*

Child Care training has made the difference between leaving school and aspiring to careers for a number of seniors. Twenty-eight are training in two classes.

Distributive education is training 14 students in merchandising and retailing, releasing them from school early for supervised work in stores. These seniors train in merchandising as juniors. Fourteen students are now studying merchandising.

### *Industrial Arts Cross Disciplines*

The same benefits which reinforce academic subjects when they are taught in combination with technical skills seem to be happening at the work bench, starting with kindergarten tools. Take one bench and one

simple set of hand tools. Add candles in holders made by primary grade youngsters and a replica of the Puritans' horn book. Result: insight into the world of the Puritans and the world of the industrial worker, for both boys and girls in grades one through six. Guy O. Edmunds, Director of Industrial Arts, reports that although there is no formal program for girls, there is a lively interest in woodworking among girls in grades five to eight at Lincoln, Driscoll, and Runkle Schools.

In the fifth through eight grades, children learn about the dual roles they will play as consumers and producers. By the ninth-grade level, boys are ready to explore automotive mechanics, machine and metal work, electricity, drafting, printing, and cabinet making. Three-hundred and fifty-one boys take shop in the High School and 139 participate in mechanical drawing. "We have always had a few girls in classes, too," says Mr. Edmunds.

The boys in the tenth to the twelfth grades are prepared for apprenticeship in the trades after one, two, or three years in any of these fields. Some go to work immediately after graduation. Others combine academic and industrial programs. In all these fields, equipment is becoming more sophisticated. One of the most effective teaching devices is our new, 12-position, link driver training simulator. Safety concepts reach a new level in driver education, making industrial arts students more aware of safety in all subjects they take.

### *Music Making Starts Earlier*

The current philosophy of the Music Department is to offer more time and emphasis in teaching music to children in the earlier grades. New aspects also develop from cooperation with the humanities programs mentioned earlier. "Talent Exploration" starts in grade one! More than 300 third-grade students showed parents that music without tears was a reality at this year's talent show. All students in grades one through eight take music, and ten per cent of the High School students elect music courses.

Individual music makers come together for an all-town concert by members of the band and string orchestra, from each elementary school. Choral groups and madrigal singers also perform for special programs. School-to-school exchanges of instrumentalists prepare Brookline's total complement of 500 for playing together. Each year the High School concert choir performs at a Boston Pops Concert.

Enrolment in the Brookline Music School is at an all-time high of 643 students.

### *Homemaking is a Fine and Practical Art*

The individual and his role in the family leads to study of cultures and economics, so teachers of homemaking have backgrounds which include the humanities and science. Field trips range from expeditions to fashion consultants in New York to mental health centers. At hospitals, social customs students observe current treatment. Framingham State College and Simmons send teacher-observers each year to Brookline.

### *Nutrition*

Nutrition instruction starts with laboratory experiments. After testing the value of good nutrition, students learn to prepare appetizing meals for parents, parties, and other school occasions.

Brookline cafeterias serve 3462 students carefully planned lunches every day. In a new program, Lincoln School is serving an average of 37 breakfasts for 30¢. In each school free meals are served to those who cannot afford to pay, through local assistance and subsidies by the Federal and state governments. During one month, 2598 free lunches are served.

Senior citizens eat attractive hot lunches at Pierce and Devotion Schools for 50¢. An average of 41 are served daily.

### *Senior-Year Program*

The Senior-Year Program moves into a second run this year by highly popular demand. George Viglirolo, who developed the program with leading students last year, has the support of new seniors, new community resource people, and additional teachers and administrators. Evidence has shown that self-initiated study is an important substitute for some of the regular classes in the senior year.

Department chairmen will develop methods to help students get even more out of their independent study. Also under consideration is the extension of the program to underclassmen. Seniors last year chose to work outside classes in communications, anthropology, poetry, computer techniques, the stock market, and many other fields.

Three levels of involvement provided productive career experiences, particularly in apprentice teaching and hospital work; study at a local college; and independent research. The program drew heavily on enthusiastic supporters from the community, who were pleased to have their special skills sought by High School seniors.



### *Special Services to Students*

Special services to Brookline students outside of basic studies include a number of enrichment and after-school activities and a myriad of medical and social services. In-school library, gymnasium, and guidance resources complement a growing number of special interest clubs.

Department heads and school principals have indicated that the social pressures of the 1960's were more than some of their students could manage. Other stresses came largely from parents' unrealistic expectation of academic success. One accelerating challenge came from students themselves: their own desire for more control within the schools.

Citizenship takes many forms, but a noticeable revival of "school spirit" (that leading element of two generations ago, which seemed to become an anachronism after the 1940's), is indicated by the revival of interest in student government.

To take one example of extra-curricular supervised activities, a total of 594 Baker School students take advantage of band, choral singing, operettas, plays, barbershop quartets, and recorder performances. Similar participation goes on in other schools.

### *Heath Revives Student Government*

The heady exhilaration of political campaigning spilled over in corridors of the Heath School this semester. Slogans like "Winn with Quinn," "Vote the Jay Way," "Dan Can," and "Make Heath Click with Clebnick," were paraded and chanted in a school where there has been no student council for 15 years. Now, a newly-elected council is busy writing a constitution.

### *Politics Goes Non Verbal*

Overhead transparency projectors were worth their weight in votes when students and teachers developed laryngitis during elections. Fund raising activities such as a dance and cake sales showed young candidates how to work for community as well as classmate support. Town officials turned over voting machines to make elections the real thing.

### *Student Codes Established*

Tricky issues like codes, which have loomed disproportionately large in schools where students feel that they do not have adequate say in their affairs, have solved themselves under student government. Pick-up and clean-up

details have made commons rooms liveable once students have allocated responsibility among themselves.

### *Health Services*

Health at Brookline, like Gaul, is divided into three parts: first aid, which includes visitors and parents as well as the student and faculty population; counseling; and basic health. An average weekly toll of first aid "emergencies" from those in need of everything from a bandage to an ambulance run between 150 and 175 a week, according to Mildred Rusin, nurse at Devotion School.

Taking one school, such as Devotion, an analysis of health services shows that conferences on health take place with the child, with the parent, and with the teacher, at the rate of between 50 to 75 a week. Physical examinations scheduled at kindergarten, fourth- and seventh-grade levels and for new students amount to as many as 325 a year.

The school physician conducted several clinics a month to evaluate medical and emotional problems, for 20 children during an average four-week period.

Guidance counselors conduct 25 informal conferences a month with teachers and parents on students with problems. Nurses run hearing and vision tests for 850 children a year, and heights and weights are also conducted on 850. A total of 800 immunizations are provided a year. Dental referrals are made on the basis of informal observation. High risk, disease-prone children are watched for heart, epilepsy, cystic fibrosis, diabetes, polio, and asthma symptoms.

### *Rates of Health Referrals*

Some idea of the failure rates during health tests may be gained from School Physician George Kahn's records. During more than 7,000 tests conducted on all Brookline school children, 51 hearing failures out of 4,825 children seen were referred to specialists. Five hundred and twenty-one vision failures, including 235 which needed special attention, were referred during a total of some 5,000 tests.

Nurses saw a total of 33,552 "sick calls." Dr. Kahn was called in 593 times.

### *Special Education*

Children with perceptual learning disabilities are screened for placement in a new special class now made up of eight children who are at least two years behind their peers in performance. Graduate student teachers serve as individual tutors with the aid of Boston University's Special Education Department. Nathaniel J. Resnick, Supervisor of Special Education in Brookline, reports "To my knowledge this is the only existing public school class that is being housed at an educational clinic where each child's assignments are individually tailored and true prescription teaching is being attempted." Students who have normal or higher I.Q.'s but who have perceptual and motor problems, such as trouble with understanding space relations, configurations of letters, and sound patterns, can often be prevented from turning off on education in general by special teaching. There are almost as many methods of teaching, from phonics to games, as there are names for perceptual learning disorders (more than 40).

### *Consultant Services for Perceptual Disorders*

In addition to special classes, consultant services three or four times a week for some 30 children throughout seven schools are provided. Teachers receive in-service training workshops to help them spot such difficulties.

### *Emotionally Disturbed Children*

Brookline has three special class programs for emotionally disturbed students, one each at primary, intermediate, and High School levels. The Massachusetts Department of Education reimburses Brookline for professional services and transportation.

### *What Three Months Can Do*

One of our teachers gives us an example of what can be accomplished in a very short period of time. There were five students in her class who were unable to function in a regular classroom because of emotional problems. Because she spent a good deal of time and energy making them feel secure and trying to avoid frequent frustration, "these children became involved in regular classes, joined outside activities, took music lessons and generally became more relaxed and responsive in three months," she says. Special class is making schooling possible for these children, and, hopefully, it will help them develop into happier, contributing members of this society.

### *Remedial Services*

Speech therapy is helping 298 students in eight elementary schools and in high school. Remedial reading, the first of the special services offered in



Brookline, aids 370 students. A significant decrease of reading problems in the upper grades indicates that early attention is paying off.

Upper-grade children tutor younger students once a week in the school cafeteria along with reading specialists. Miss Jane K. McGrath, Chairman of School Adjustment Counselors, reports that eight social workers have worked intensively with 270 children throughout the school system.

### *Retarded Children*

Fifty-four retarded children are getting support through the Brookline Schools from nursery age through early adult years. The Brookline Mental Health Association runs a nursery school and works very closely with the school system. Trainable retardates are taught at the Devotion School. Three classes of educable retardates at the Baker School are integrated whenever possible into regular vocational and academic classes.

The Junior Division at the High School serves 20 teen-agers who are learning core English and mathematics in a self-contained classroom. They also take a limited number of regular High School courses and are retained in the Junior Division until they have made up enough educational gaps to enter the regular High School sophomore house.

The New England Materials Instructional Center serves as a federally-funded clearing house, offering special education teachers a chance to borrow and field test the newest in creative educational materials.

Psychiatric consultation services are offered to every program and teacher in the Special Education Department under the direction of Dr. William J. Barnum and Dr. Emanuel Mirel.

### *After School*

With the help of Cantor Michal Hammerman, President of the Brookline Association for Exceptional Children, and the cooperation of the physical education department, a new after-school program for the children in special classes was established to provide extra attention to individual needs.

For all interested students, after-school activities include sports, music, clubs, and workshops, which go on several times a week. In order to apportion a fair amount of time for school buildings to be used by both school people and the community, the School Committee asked Francis W. Muldowney,

Jr., Director of Buildings, to set up categories. He reports that Boy and Girl Scouts, teachers' clubs, parent-teacher organization groups, the Brookline Music School, and the Council for Public Schools are among the kinds of groups from which applications for use of a school building are received every day.

Over 100 groups use schools, and the physical education building, weekly, paying only out-of-pocket personnel costs.

Town affiliated organizations from other categories use school buildings regularly, including Youth Concerts, Brookline Town Meetings, state and municipal elections, and civic meetings, such as the League of Women Voters, and the Brookline Taxpayers' Association.

### *Physical Education*

"The Brookline High School has more opportunities for interscholastic programs than nearly all others in this area," says Physical Education Director J. Robert Eddy. 738 boys and 177 girls are involved in High School athletics.

In elementary sports programs the average daily turnout is 311 boys and 266 girls. After-school play programs for grades five through eight are being expanded, and additional scheduling is reaching a wider involvement in the lower grades.

Classified under social activities are plays, variety shows, concerts, games and church parties.

### *Community Services Reach the Whole Town*

Community services are closely related to education. The quality of life in Brookline without school facilities and town-minded teachers would be hard to imagine.

Senior citizens, many of them without cooking facilities, meet for hot lunches and social programs regularly at the Pierce and Devotion Schools. Through the Adult Education Program, they turn out 637 strong for adult education courses and Arm Chair Travel sessions at the Multi-Service Center on Pleasant Street and on Marion Street. Brookline is unique in extending adult courses free to those over 65, according to N. Wendell Weeks, director of this program.

A cooperative venture with the Brookline Symphony Orchestra and the adult program offers musicians living in and outside the town to play and hear good music. Practical and vocational arts range from fine crewel embroidery to repairing television sets, re-conditioning outboard motors and rebuilding furniture!

Business education courses attracted 600 adult citizens last year. Also up-grading their earning potential are 60-year-old students in high school equivalency courses.

English for non-Americans served 134 last year. On the rainiest night of the year, December 8, six new arrivals from Poland registered for adult classes which many towns were being cancelled. Their first English lesson prepared them to talk about the weather.

Mr. Weeks has seen adult education trends range from an emphasis on hand crafts ten years ago to a growing demand for cultural experiences, and an increased enrolment of well-educated people. Adult Education teachers are being "stretched" intellectually.

The Adult Education program, unlike many of the less tangible links between the community and the schools, has an on-the-record account of public confidence. Its total enrolment was 3,414 during the past year.

### *ODWIN Program*

ODWIN, or Open Doors Wider in Nursing, is entering its fifth year with 18 students, who are high school graduates needing background in biology, chemistry, and physics for careers in health professions. Two boys are studying in order to go into medicine. They take a full senior program including English and mathematics. Brookline was the first to set up such a program, and the State Department of Vocational Education supplies financial support.

### *Brookline Has 151 METCO Students*

The true test of a good school system is the number of people it attracts. Town records show that the largest number of families moving into Brookline are those with children of school age. Inner city families' respect for what Brookline offers its students is demonstrated by the 151 children who are now taking advantage of the METCO program in Brookline. Eighty-two attend grade schools, and 69 go to the High School, giving Brookline the largest number of METCO students in 27 communities which take part in METCO.



Although the majority of Boston children attending Brookline Schools are black, their adjustment problems are not ones of color but of transfer from schools which did not offer them developmental skills, reports Mrs. Katherine C. Ginty, Brookline's METCO coordinator.

Reading, health, and guidance specialists give more time to first-year METCO students than the average pupil because their needs are greater. State funds support the total cost of this program. METCO students receive all the referral services offered to town children.

Thirteen METCO students graduated from Brookline High School last year. Ten were accepted to four-year colleges of their choice. Three are working and planning to continue their education next year, including one who attended summer school and has been accepted by the University of Massachusetts.

Brookline students are quick to point out that they are learning as much about urban-suburban cooperation as METCO pupils. Mrs. Ginty sums it up as better preparation "for a multi-racial community and the world."

One of the great advantages of the METCO program is that meeting special needs has helped Brookline to update curriculum in fields like black studies and social relations.

The curriculum as a whole is being constantly reevaluated for all pupils. Changing times and changing needs remind us that excellence is not a permanent condition. We, like "Alice in Wonderland," are aware that we have to move forward in order not to move backward.

## SECTION TWO — MAY, 1970

## IN MEMORIAM: THOMAS PAUL KENDRICK, M.D.

Dr. Thomas P. Kendrick, who was a School Committee member since 1928 and its Chairman for 11 years, died suddenly on March 27 while visiting his wife in the hospital. Forty-eight hours before, he was representing the Brookline Schools at Town Meeting.

Dr. Kendrick was born in Brookline and graduated from its schools. He was also a graduate of Catholic University and of the Harvard Medical School. He served as Medical Examiner of Norfolk County and received the Brookline Rotary Club's Distinguished Public Service Award.

His services with the Brookline School Committee for 41 years and with the Park and Recreation Commission for 35 years, represent the equivalent of 76 years of service to the Town.

*Tribute by Jacques M. Dronsick*

At the March 31 session of the 1970 Annual Town Meeting, School Committee Chairman Jacques M. Dronsick characterized Dr. Kendrick as a "distinguished physician and scholar, athlete and veteran, mentor, leader and friend." "Dr. Kendrick," said Mr. Dronsick, "was concerned with man's total well-being, with his academic pursuits and intellectual development, and with his recreational pursuits and physical development. He served his community with purpose and perspective, with courage and honor, with care and compassion."

## SCHOOL COMMITTEE REORGANIZATION

The Brookline School Committee will be led by Jacques M. Dronsick, who has been a member for seven years. At the organization meeting on March 16, Joseph Robinson was elected Vice-Chairman. Also serving on the School Committee are: Mrs. Viola R. Pinanski, who was re-elected; Mrs. Alette E. Reed; Dr. Raymond T. McNally; Thomas P. Hennessey; and John Connorton and Robert H. Sturdy, who were newly elected.

The new Chairman has made the following appointments to the standing Subcommittees:

*Buildings:* Thomas P. Hennessey, Chairman; John Connorton; Alette E. Reed; Joseph Robinson; Robert H. Sturdy.

<i>Communications:</i>	Alette E. Reed, Chairman; John Connorton; Raymond T. McNally; Viola R. Pinanski.
<i>(formerly Public Relations)</i>	
<i>Finance:</i>	Joseph Robinson, Chairman; John Connorton; Thomas P. Hennessey; Robert H. Sturdy.
<i>Hygiene:</i>	Thomas P. Hennessey, Chairman (successor to Dr. Kendrick, who was originally appointed); John Connorton; Robert H. Sturdy.
<i>Instruction:</i>	Raymond T. McNally, Chairman; Viola R. Pinanski; Robert H. Sturdy.
<i>Teachers:</i>	Viola R. Pinanski, Chairman; Thomas P. Hennessey; Raymond T. McNally; Alette E. Reed; Joseph Robinson.

Miss Helen V. O'Brien was re-elected secretary by unanimous acclaim.

On April 6, the School Committee held a special meeting to set in motion the statutory procedures for electing a successor to Dr. Kendrick. At a joint meeting of the School Committee and the Board of Selectmen on April 27, Mr. Ellsworth E. Rosen was elected to the vacancy.

### LIBRARY FUND UNITES BROOKLINE

Brookline Library Fund Chairman Mrs. Ralph P. Rudnick was thinking in terms of between \$10,000 and \$12,000 when she assumed leadership of the drive for the High School library. She has good reason to raise her sights to \$20,000 as this report goes to press.

One of the most significant aspects of the successful drive is the fact that much support is coming from people not connected with schools.

At the beginning of April, the Brookline High School Library Fund stood at \$12,533.33. Close to 900 contributors, including students and adults, have responded to appeals to help restore the library, since insurance funds will not be adequate for the planned new facility. The \$12,500 total has climbed to \$17,000.

### *High School Teachers are "Slaves" for Library*

Teachers laid their talents on the line for students to hire this month. It was all for the sake of the Library Fund, which netted more than \$200 from the venture. Headmaster Carmen P. Rinaldi came up with subsidizing an evening out: dinner for two and a film or play. A major milestone granted



dividends for all concerned. Housemaster Harris B. Siegel gave up smoking and netted \$35 for the Library Fund at the same time. One clever student spent a day tearing up his A.W.O.L.'s by virtue of buying the privilege of being Headmaster for a day.

Learning to make gravestone rubbings with biology teacher Mary Ann B. Delaney was one of the prized teacher offerings. Teacher taxi service stretched release study hall time for other students.

History teacher Donald Kaplan offered guitar lessons. Science teacher Robert S. Cohen was bid up to \$22 for a speech promised for delivery over the loud speaker, a tribute to eloquence, if not science.

Penelope C. Squire's leg is in a cast, but she refused to throw in the sponge. She threw in her electric wheel chair for a day instead and rented it to a student while her class was on a field trip.

### *Schools Attract Townwide Support*

Putterham's Garden Club staged a May 15 tour of six houses and gardens, under the direction of Mrs. Raymon Rakoff, to raise funds for the library.

Sunday, April 5, marked a town-wide cooperative effort, with an auction of paintings, crafts, and sculpture by Brookline and Boston artists. Figures on proceeds were close to \$2,800. Shailer House parents sponsored the auction, and Headmaster Rinaldi and teacher George Viglirolo wielded the gavel.

### T.A.S.K. UNLIMITED

"Do you play favorites?"

"What do you think you are doing when you play 'Cat and Rat'?"

"Do you think you moved in fast enough when Billy got rough?"

It may sound like a "T" Group or Sensitivity Training session, but it is a highly serious student evaluation of their own extremely popular program: High School juniors teaching youngsters in the Egmont Street Housing Project. T.A.S.K. stands for Teenagers Serving Kids, and it does just that.

A dozen juniors are making a success of "T.A.S.K. Unlimited," a teaching program, similar to Head Start, which has been going on twice a week

since the end of January. Joel S. Gopen, an adjustment counselor with the Brookline High School Guidance Department, has been working with students for more than a year, ever since three students approached him about being a big brother or sister to children who might miss out on their real possibilities because they have never known a sustained trusting relationship with an adult or older friend.

Cindy Parker, Marty McKinnon, and Mark Newman initiated the idea.

Games, songs, crafts, and encounters take place between three and four on Monday and Wednesday afternoons. Boys and girls from Brookline High School work and play with 24 children ranging from four to seven years of age in two groups. Most of them are not planning to be teachers, but all are committed to community service.

### *T.A.S.K. Looks Ahead*

It is a two-year commitment for these juniors; now and next year. "We worked for more than a year to set up the program," says Mr. Gopen. "Charles McManus, a social worker, helped us to set up a liaison with the Housing Authority."

The High School contributed about \$100 worth of supplies. So did the Housing Authority. The Recreation Department offered a bus driver for fields trips. The students are now negotiating for permission to use a nearby playground from the Housing Authority.

The Egmont Housing Project is a state-operated facility. Mr. Gopen and his 30 students are talking about expanding their program to other housing projects in the Town. He trained students for several afternoons a week to teach crafts, games, and songs. Students receive no payment or credit for teaching, but they run "overtime" on their evaluation sessions, out of enthusiasm.

Joel Gopen is learning almost as much as his student teachers and their pupils. "I never realized how well high school students could verbalize, when they are really interested," he says.

Housing Director Thomas J. Connelly, and Mr. Gopen are now talking about the possibility of expanding the program to other housing developments in Brookline.

## DRUG EDUCATION PROGRAM EXPANDS

Brookline, like most communities, has felt the need for an expanding drug information program. As in other health areas, such as sex education and family living, the overall goal is a sequential education program starting in kindergarten and continuing through grade 12.

There are specific plans for the program on both short- and long-range levels. The short-range and immediate objectives of the Drug Education Committee: are (1) to collect material, organize units of instruction, train teachers and implement system-wide programs for all kindergarten children on the poison-control aspects of drugs and household chemicals (by May, 1970); (2) to gather material, organize programs, and train fourth-grade teachers for system-wide units on drug prevention at the fourth-grade level (by May, 1970); (3) to collect and organize audiovisual material for use in small group discussions at the seventh-grade level. This program will be handled by the elementary counselors (by May, 1970); and (4) an in-service training program, was held from April 29 to May 7, 1970, in cooperation with the Youth Resources Council, Kiwanis Club, and the Brookline Police Department, for the training of all kindergarten, fourth- and seventh-grade teachers on all aspects of drug prevention.

The long-range and overall objectives of the Drug Education Committee are: (1) to establish and maintain a system-wide, continuous drug education program aimed at students from their earliest entrance to school until their high school years, focused on the prevention of harmful experimentation with drugs and other chemical agents. This program will also concentrate on the beneficial aspects of drugs as prescribed by medical authorities; (2) to provide therapeutic, rehabilitative and referral services to pupils already using drugs (and their parents) through school and community resources; (3) to establish harmonious relationships with such community resources as law enforcement officials, mental health centers, clubs and civic organizations, youth resource agencies, and so on, in a cooperative effort to deter and assist youngsters using drugs; (4) to educate faculty members yearly on drugs so they can deal with pupils in both classroom and informal settings on questions and concerns related to this area; (5) to provide students with informal, non-institutional settings, where they can relate their concerns about drugs in a non-punitive atmosphere with knowledgeable youth and adults; and (6) to provide concerned adults in the community with resources, materials, and informed authorities when they wish help with matters related to drugs.

Brookline organizations have set high priorities for this program.



Kindergarten children and fourth and seventh graders receive developing stages of instruction at appropriate levels according to their readiness.

Pilot education units will be launched this May after teachers receive special training in April. Teachers, nurses, principals, and administrators are being taught to work with children and answer questions about drugs. Underway now are meetings of the Brookline Drug Education Committee, which was appointed by the Superintendent of Schools and consists of representatives from the School Department, the Health Department and the Police Department. Material is being collected for units to teach kindergarten children the potential poisonous quality of drugs and household chemicals. Audiovisual material is being organized by counselors for elementary children. Information on drugs will be sent to all students' homes.

### *Elementary Drug Education*

Science and classroom teachers are offering education about drugs under the direction of School Physicians Dr. George Kahn and Dr. Gloria A. Rudisch. Health educator Dr. Muriel B. Wilbur is organizing a poison prevention program for kindergarten and primary grades.

On March 12, all kindergarten teachers met to read and discuss a booklet entitled "Teaching Poison Prevention in Kindergarten and Primary Grades," prepared by the U.S. Department of Health, Education, and Welfare.

Science Director David W. Parfitt is now preparing drug instruction materials for fourth grades this spring. Seventh graders will participate in discussion units about drugs planned by Roger F. Aubrey and elementary school guidance counselors for May of this year. Small group meetings are designed to bring out close involvement with the issues.

### *Seventh- and Eighth-Grade Instructions*

Seventh- and eighth-grade students are already receiving drug education lessons from science teachers. Mr Parfitt and his science department colleagues will devote this summer to completing general units of instruction on an overall elementary school level next fall.

### *High School Drug Education*

Instructors from the physical education department are leading drug units of instruction at both the freshmen and sophomore levels in the High School. Sessions cover from five to eight weeks' focus on the physiological,

psychological, legal and sociological aspects of taking drugs. Decision making and ethical issues are also fostered in small group discussions.

### *Counseling Services on Drugs*

Both guidance and adjustment counselors are being trained to work with students who have drug problems and to advise their parents. Students with drug problems will also be referred to the Brookline Mental Health Center, where Dr. William Barnum meets once a week with high school guidance and adjustment counselors.

Psychiatric social workers are also assigned to follow through on hard-core drug users. The National Institute of Mental Health has delegated a social worker to cooperate with guidance and adjustment counselors, students and parents on weekly confrontations to help combat drug addiction.

### *Educational Materials on Drugs*

School librarians are displaying a comprehensive collection of materials and visual aid resources on drugs, with the cooperation of Mrs. Priscilla L. Moulton and Dr. William Wheatley. Dr. James Stewart and the Youth Resources Commission have made workers available during after-school hours for both preventive and therapeutic programs. State Department of Education funds have been sought by both Roger Aubrey and J. Robert Eddy, Director of Physical Education, for drug education, but James Tedesco, who is in charge of state films, materials, and speakers, has no state funds to allocate to Brookline as yet.

### *Long-Range Goals of Drug Education Program*

The basic approach to drug education as compared with other major fields of instruction is to establish a continuous process of exposure to knowledge. Students ranging from kindergarten to high school seniors, will receive a broad picture exploring the beneficial as well as the harmful use of drugs.

Therapeutic, rehabilitative, and referral services should follow diagnosis of need. Unfortunately no adequate facility for this exists now. Law enforcement personnel, mental health specialists, and community agencies have been alerted to help young drug experimenters. The Brookline School system approach aims to provide information and aid in a non-institutional setting, in order to clear the air for children seeking both information and help.

### *Drug Education Prospects*

Evaluations of progress in drug information programs, especially at kindergarten, fourth- and seventh-grade levels, will provide further direction for programs next year. Video-taped instruction sessions for teachers will reinforce the training resources. Members of the Brookline Drug Education Committee, appointed by Superintendent of Schools Robert I. Sperber, to meet a growing national problem are: Roger F. Aubrey, Director of Guidance, Chairman; J. Robert Eddy, Director of Physical Education; Gerard P. Cote, Principal of the Lincoln-Sewall Schools; Dr. George Kahn, School Physician; Miss Ann E. Macdonald, Assistant Superintendent of Schools for Curriculum and Instruction; Dr. Francis W. McKenzie, Coordinator of Pupil Personnel Services; David W. Parfitt, Director of Science; Dr. Gloria A. Rudisch, School Physician; Dr. Muirel B. Wilbur, Health Educator of the Town; Joel S. Gopen, High School adjustment counselor; Miss Lillian G. Murdock, Chairman of the High School Guidance Department; and Lieutenant William Miller, Brookline Police Department.

### WHO SAYS PLAY-ACTING ISN'T FUN?

The boys and girls in Mrs. Beattie's fifth grade class at Lincoln School had the time of their lives presenting a musical play, "Tom Sawyer." This was a unique experience in play-acting. The cast included the 5th graders; Mr. Cote, Lincoln's Principal; teachers; and their parents, singing and acting together.

In the audience were many parents, Dr. Sperber, Mr. Sheridan, many of the directors, the Pierce School 5th grades and the 5th graders from Baker School.

After the presentation the guests and cast were invited to a reception. This part of the program was greatly appreciated; especially by the children.

### BROOKLINE SCHOOLS AND EDCO

Closing the gap between a suburb like Brookline and city schools has long been a goal in many towns. In September of 1968, Brookline joined school systems in Arlington, Boston, Cambridge, Concord, Lexington, Newton, and Diocesan and independent schools in these towns to form the Education Collaborative for Greater Boston (EdCo).

Financial support has been received from the U.S. Office of Education and Health, Education, and Welfare. Superintendents from the seven towns



chose Dr. Robert W. Peebles, a former director of Special Programs for the Pittsburgh Public Schools, to head EdCo.

EdCo's aims for students are to increase elementary school children's exposure to the arts through live performances and workshops, and to facilitate exchanges among city and suburban students for two weeks at a time during the school year. EdCo also works to place non-college bound students from both city and suburbs in industrial situations to receive basic training in education and job skills.

### *EdCo Also Trains Teachers*

Small grants for teachers were established in January, 1969, to develop curriculum on current social issues to apply to new courses and to offer suggestions for increasing opportunities in individual learning and discovery in class. This approach also stresses improved racial understanding and more participation of both teachers and students in establishing educational guidelines.

Teacher exchanges are encouraged by EdCo for one semester or a year, and seminars will be set up to train them for varied problems.

### *Administrators and EdCo*

Retraining principals and assistant principals in order to improve school and community relations has been designated as the Lewenberg Project. Human resources, school information, and innovative educational styles form a three-part goal.

### *EdCo Funding*

EdCo has applied to the Permanent Charity Fund and many other sources to support its projects. Contributions from local school districts and funds and equipment from the Polaroid Corporation are helping to keep programs going. A supplemental grant from the Office of Education has made it possible to develop a program for an Early Childhood Reading and Learning Center system written by Esther Halpern and Dr. Jean Chall, reading specialists at the Harvard Graduate School of Education. If funded, the center would be established in Boston or Cambridge to provide teachers with training in reading in order to help children from the seven communities who have extreme difficulties with reading.

## SCHOOL FOOD IS A \$343,000 BUSINESS IN BROOKLINE

The menu reads: "Orange Juice, Salisbury Steak, Mashed Potato, Buttered Corn, Chocolate Pudding, Bread and Butter, and Milk, 30 cents."

An alternate choice, also for 30 cents, is Bacon, Cheese, Tomato, and Lettuce Sandwich, with Juice, Dessert, and Milk. A Chef's Salad Bowl with Ham, Chicken, Cheese and Egg, plus Bread, Dessert and Milk, costs a little more, 35 cents.

To a visitor at the Brookline High School cafeteria it seems as though the clock must have been turned back to the 1930's, but the time is now, and the reasons are people like Miss Marion L. Cronan, Director of Home-making and School Food Service; and her assistant at the high school, Mrs. Patricia W. Sennott, and a dedicated staff. Mrs. Ann Lee Schreiber and Peter C. Crafts use the cafeteria facilities to teach boys in the Food Service Training classes methods of quantity food production.

### *Brookline's Food Service Is Out of the Ordinary*

School lunch programs are far from equal, even in Massachusetts. Surveys touched off by the White House Conference on Nutrition revealed glaring inequities in school food programs. Many schools do not offer subsidized low cost or free meals. Others do not serve hot lunches at all. Congress has found it necessary to authorize additional funds to help schools provide good nutrition. It has also mandated that states file family size statistics and income information by May 15 in order to expand the program.

"Brookline Public Schools served a total of 589,915 'A' lunches during 1968-69," says Miss Cronan. "Each lunch includes half a pint of milk. In addition, 405,868 half pints were sold."

Brookline has many visitors. Dietetic interns from the Beth Israel and Peter Bent Brigham Hospitals, student nurses from Boston College, home economics students from State College at Framingham and Simmons College are only a few of the many groups that come to see the food service program.

### *Free Lunch Program*

In 1969, Brookline served free lunches to some 26,000, to those in need both economically and nutritionally, at a cost of \$5,244. That represents 1.6 per cent of the whole food service operation. Miss Cronan pointed to October's figures of 2,598 as an example of the number of free lunches served during a month.

"Mrs. Mary McManus came to the food service program before I did," said Miss Cronan, introducing her executive secretary. "She maintains the financial records."

Miss Cronan marks her 27th year in Brookline this season. She runs an operation which is a \$343,000 business. She is quick to credit the excellence of the "A" lunch and the solvency of the operation to the cooperation and financial support of the federal, state, and local governments as well as to the wide training and experience of Brookline's staff of eighty women.

### *Government Subsidies*

The National School Lunch Act of 1946 stipulated that schools be reimbursed by 9 cents for each type "A" lunch served. "A" lunches offer two ounces of protein,  $\frac{3}{4}$  of a cup of fruit and/or vegetables, bread made with enriched or whole-wheat grain flour, one teaspoon of butter and a half pint of whole milk. These foods provide approximately one third of the nutritional needs of a 12-year-old child, says the U. S. Department of Agriculture, which also recommends one vitamin C food a day, and frequent additions of vitamin A and foods rich in iron.

Although Massachusetts has been receiving only 4 cents in federal reimbursement funds, the state has been making up the difference. Recently, the reimbursement rate has risen to 12 cents a meal. Free lunches are reimbursed under a separate plan.

Another reason why it is possible for schools to serve meals for 30 cents is the food donated by the U. S. Department of Agriculture. Dried milk, butter, canned fruits and vegetables, cheese, peanut butter, hamburger, turkey and other commodities help to keep food prices down for school children.

### *Staff Aides*

In the elementary schools, the homemaking teacher supervises the cafeteria and keeps records. An important part of her job is correlating nutrition education in the classroom and the food served at lunch. Classes may prepare and taste foreign dishes. They also tie in what they learn in science and social studies classes about health and good eating habits and food cultures of other countries.

At the High School, Mrs. Patricia Sennott has wide responsibilities. A graduate of Seton Hall College and a member of the American Dietetic Association, Mrs. Sennott has been in Brookline for 10 years. She plans the weekly menu and supervises food facilities, including after school sales and party refreshments for students and faculty. She correlates the food ordering for all schools, fills daily personnel vacancies, and supervises the High School staff of twenty seven women.



### *Who Does the Buying*

The housewife may shop with a newspaper sale advertisement in her hand, but school food purchasing follows a pattern outlined by Dr. Ferdy J. Tagle, Jr., as Assistant Superintendent of Schools for Funds and Facilities, with the cooperation of the Town Purchasing Agent. On March 1, staples like milk, bread, and ice cream are contracted by bid for the entire year. Meat and fresh foods are bid weekly, and canned goods in September. Miss Cronan and Mrs. Sennott test all foods submitted for bid and determine the quality to be purchased.

The Town provides the capital outlay for equipment. It also pays the clerical salaries of the office personnel and the purchase and replacement of equipment. The budget allowance for 1970 is \$43,853.

### *Breakfasts Are Increasingly Popular*

Two breakfast programs, launched at the Lincoln and Pierce Schools this year offer fruit or juice, cereal or bread, and milk. Eggs or other protein are frequently included. A student pays 15 cents, and Brookline receives a matching reimbursement.

Because of the success of the program, Devotion School started serving breakfast on April 16. Free breakfasts for children, with limited means are available at each of the three schools.

### *Massachusetts a Pioneer in Feeding the Elderly*

"Massachusetts started the first state-wide program for serving lunches to qualified elderly people," says Miss Cronan, pointing to a paper which she will read at an Indianapolis nutrition conference this month. A bill signed on December 29, 1967 by the Governor authorized certain schools to use their lunchrooms for serving lunch to the elderly. In May, 1968, Brookline and Pittsfield started a pre-pilot program for senior citizens. Any expense of feeding the elderly above the 50 cents which they pay, is met from special Federal and state grants. This includes the cost of food, additional employees' time, and custodial services. In Brookline's case, extending the food serving period for half an hour entails from two to three and a half hours of additional labor for the cafeteria staff, and an equal amount of custodial time.

Eight communities in Massachusetts followed the lead of Brookline and Pittsfield, and legislators have now voted to extend the program to any city or town.

### *Brookline Has a High Proportion of Senior Citizens*

Brookline has nearly twice the national average of people over 65 years of age, and one of the country's highest percentages. In the Coolidge Corner area alone, more than 50 per cent are over 65. The total figure of 20 million Americans now over 65 is projected to increase to 26.6 million by 1975. Millions of Americans who are trying to live on a fixed retirement income will not have to spend 40 cents for a muffin and a cup of coffee for lunch, if programs such as this are expanded. The elderly people are served three ounces of protein rather than the two ounces served to students. They also receive coffee or tea in addition to milk. The meal planning is similar to that of children's lunches. An average of 30 senior citizens a day come to each school for lunch. They also come for sociability, and they get it. They provide entertainment for each other and also take part in discussion groups and arts and crafts programs planned by the Brookline Multi-Service Center and other town agencies.

### *Curriculum Vitae of a Food Service Director*

Miss Cronan graduated from State Teachers College at Framingham and received her M.A. from Teachers College, Columbia. She has also studied at Simmons College, at Boston University, and at Cornell.

She has served as president of the Massachusetts Home Economics, the Massachusetts Dietetic, and Massachusetts School Food Service Associations. In 1967-68, she served as president of the American School Food Service Association, an organization of over 48,000 members. She is now helping to plan the program for the National Convention of this association which will be held in Boston, August 2-6, 1970.

Miss Cronan is an active contributor to home economics journals, and author of the classic text, "The School Lunch." In 1966, she was awarded a Fulbright lectureship to Kabul University, Afghanistan.

Miss Cronan was a participant at the December, 1969, White House Conference on Food, Nutrition, and Health. She served on a panel on Nutrition Education in Elementary and Secondary Schools. At present, she is chairman of the Massachusetts committee on the follow-up of the White House Conference.

### BROOKLINE EDUCATIONAL RESEARCH COUNCIL

The Brookline Educational Research Council and the Center for Field Research and School Services at Boston College have met jointly six times to

set policy and priorities for research. They have completed an evaluation of a Course-Level Placement Study to help eighth grade students and their parents make better course choices at Brookline High School.

Also completed is an analysis of the Foreign Language Questionnaire, which has resulted in suggestions for a change in program.

The High School Physical Science Course is being redesigned for a reorganization to be announced in June. By May 1, a study of College Board (Achievement) Results for Brookline students during 1965-69 will be issued.

An accounting on the value and cost of summer curriculum workshops is now being developed. The Center is also at work designing a data-bank model. Three professors and their doctoral students are collaborating with members of Brookline's Pupil Personnel Services department on a proposal for outside funding.

### *Brookline Evaluates Phase I*

An evaluation undertaken by students, professional staff members, parents, and the community at large and school-area business personnel will help Brookline High School to weigh the values of Phase I. The plan to release students from study halls in grades 10, 11, and 12, with faculty and parental permission, will also be analyzed by Brookline's affiliates at the Center for Field Research and School Services at Boston College. The evaluation requested by the State Department of Education will be ready by June 30.

Brookline High School is one of five schools in Massachusetts which have been granted permission by the Department of Education to experiment with the traditional school day schedule in an attempt to improve the atmosphere for learning.

The reorganization of time structure in Phase I permits students to use facilities such as the library, the Commons Rooms, the gymnasium, the language laboratory, and other in-school resources during study hall time. It also allows them to leave the school grounds instead of attending study halls. This relieves teachers of proctoring duties and clerical work in issuing passes, as well as giving students more freedom.

Speaking up for student freedom, Headmaster Carmen P. Rinaldi told parents at a meeting offering small group discussions, "I feel that Brookline High School in 1969-70 is a better place to be than when I left it, in 1963."



## SCHOOL BUSINESS MANAGEMENT

Millions of dollars can be saved in Massachusetts by following suggestions made by the School Business Management Study launched this year by the Massachusetts Advisory Council on Education (MACE), according to Dr. Ferdy J. Tagle, Jr., Assistant Superintendent of Schools.

Speaking at a conference of the Massachusetts Association of School Business Officials (MASBO), of which he is president, Dr. Tagle pointed out the advantages for small school systems of manuals prepared by business executives on loan to focus on cost accountability in education.

Governor Francis Sargent, State Senate President Maurice Donohue, and Speaker of the House David Bartley have already voiced support for the School Business Management Study. Task forces of business executives will be asked to advise schools through an arrangement with the Associated Industries of Massachusetts. More than 250 school superintendents stand to gain by their advice and experiences.

Particular competencies, such as cooperative purchasing, inventory, transportation, and the general systems analysis which businesses use to project needs and expenses, will be explored during the next several months.

## PLANNING-PROGRAMMING-BUDGETING SYSTEM IS PROPOSED

As Assistant Superintendent of Schools for Funds and Facilities, Dr. Ferdy J. Tagle, Jr. proposed in 1968 that Brookline adopt a Planning-Programming-Budgeting System (PPBS). The plan is now under consideration. Brookline took a first step in 1969 by adopting a program budget spelling out allowances for salaries, supplies and specific needs of each program area, such as kindergarten, elementary, science, art, homemaking and physical education.

Working with Dr. Tagle are: Dr. Robert I. Sperber, Superintendent; School Committee Chairman, Jacques M. Dronsick, and his colleagues Mrs. Alette E. Reed and Robert H. Sturdy; William F. Sullivan of the Advisory Committee and a task force of administrators and teachers. The PPBS Committee will organize a system to provide: (1) long-range objectives for each educational program, (2) evaluations to serve as guidelines for progress reports, (3) financial forecasts for several years ahead for each program, and (4) development of alternatives to reach these goals in more economical ways.

Over a five-year period, the PPBS system is designed to help teachers and administrators work more closely together on program evaluation, reallocation of resources, and that commodity which is in ever increasing demand — accountability.

### SEX EDUCATION BEGINS IN KINDERGARTEN

The kindergarten student told his teacher, "There's a new baby at our house." He did not realize it but he was taking part in sex education. In kindergarten, the roles played by different members of the family provide a basic approach. Questions for the teacher give her an idea what children are thinking about.

The Citizen's Advisory Committee on Family Living, composed of representatives of the clergy, physicians, and parents, has high praise for the school's approach to sex education. Starting in 1962, sophomores in high school had small-group discussions on family life. Brookline did well to try different locally developed programs at a few different levels informally instead of jumping on the bandwagon and instituting sex education in all classes at once, health teacher Sheila Leach has been told by several advisory committee members.

Each year the program has focussed more and more on elementary levels. In grade one, observations of animals is a natural approach. Hamsters, guinea pigs, gerbils, and mice are in most classrooms.

### *Fifth Graders are Ready for Facts Preparing Them for Adolescence*

The fifth grade is the best time to prepare children for adolescence, David W. Parfitt, Science Director, explains. Dr. William Barnum, child psychiatrist consultant, talks informally with teachers to cover the facts which fifth graders should know.

There is no formal introduction of "Sex Education" as a course. The teacher evaluates the maturity of her class. When the time seems appropriate, she introduces sex education in context with another subject. "Man: A Course of Study" provides a good framework in social studies for presenting visual material on the life cycles of salmon, herring, gulls, the baboon and the Netsilik Eskimos. From there, a natural comparison with our own life cycles can take place.

"Small Things," a scientific course gives fifth graders an introduction by microscope to single celled animals. They look at a reproductive cell and examine what happens. Eggs are also studied.

The class is provided with mated pairs of rabbits and gerbils so that hopefully they will produce a litter. After talking with teachers and specialists, Director of Guidance Roger Aubrey has instituted additional instruction in the seventh grade. This program enlarges on the practical information offered in the fifth grade and feeds in the emotional aspects of adolescence.

One mother of a fifth grader and a 15-year-old told Mr. Aubrey that this was the "best year of her life with her children," because she could talk with them about anything.

### *High School Family Living Sessions*

Since 1968, ninth graders have been receiving sex education and family living twice a week. Sophomores take a similar course for half a year. Next year, because the third, fifth, and seventh grades have picked up the teaching load, the sophomore program will be offered on an elective basis.

Small class size is an important part of family living instruction. "There should be less than 20 students in a class to encourage informal discussion," says Miss Leach. Now we have 30 in a class. Next year we plan to have a maximum of 15 students.

## ARTS/SIX EXPERIMENTS

A wild mixture of rock, jazz, folk, classical and electronic music has been echoing from Brookline High School corridors. Sound collage is the thing in an experimental program offered by Ivan Rosenblum's Arts/Six to Roy S. Kelley's music appreciation class. Arts/Six is a federally funded Title III project bringing professional artists into the schools.

Mr. Kelley's students are not the only ones who are appreciating the new music. Title III sound engineers Steve Robinson and Mike Bucci led the way by mixing music and noise together to make a collage. They taught students to record it on stereo tape.

Students are following suit by creating their own collages after school.

### *Theater Games Workshops*

Can spontaneity be developed? Mrs. Helen Hurwitz, who is conducting theater games workshops, maintains that there is no contradiction in terms here. Using games from Miss Viola Spolin's book "Improvisation for the Theater," which she tested while she was assisting Miss Spolin last year, offers experiences which are designed to help children develop con-



fidence, independence, self awareness, and spontaneity. Workshops are held in the small gymnasium at the Pierce School after school.

### *Woodcuts Begin for Seventh Grades*

Abstract designs are being translated into creative images by seventh graders at Driscoll, Pierce and Runkle Schools. John Thompson, Director of the Evening Division of the Museum of Fine Arts School, and one of his design and graphics students, Mrs. Lorraine Hipe, work for one week at each school, teaching students to draw multi-shaped designs, transfer them to woodblocks, and cut and print the image.

The success of Arts/Six in Brookline will be demonstrated at Boston City Hall at a three day education fair on May 28, 29 and 30, 1970 of new teaching methods in education made possible by Title III funds.

### HIGH SCHOOL ADDS 18 NEW COURSES

A high school curriculum should be constantly evaluated to see that courses which are obsolete or no longer in demand are dropped and replaced by more meaningful ones for students. This philosophy is reflected in the adoption of 18 new courses for the High School next year. New listings in the booklet "Educational Opportunities in Brookline High School" will be: English III for business students, Radio and Television Broadcasting, American Studies (Honor), Black Studies Seminar, Seminar in Economic Theory, French V Honors Seminar for Grade 12, Financial Management of Business Enterprises, The American Legal System, Business Principles and Management, The Family Unit, Fashion Design, Home Decorating and Furnishing, Speed Reading (I and II), Vocabulary Development, Computer Concepts, Secretarial Transcription, Psychology I, and Opera.

### NATIONAL MERIT SCHOLARSHIP CORPORATION NAMES 11 BROOKLINE FINALISTS

Certificates of Merit from the National Merit Scholarship Corporation have been received by: Theodore S. Baran, Harold M. Cline, Jonathan S. Forman, Janet M. Gottler, Richard F. Kazis, Judith E. Levine, Olivia A. O'Neill, Susan R. Padawer, Joseph Rothchild, Stephen A. Weiss, and Joseph White.

Brookline's finalists will join some 15,000 in competing for 1000 scholarships of \$1000 and for another 1800 sponsored Merit Scholarships renewable up to four years at the accredited college of the winner's choice.

### *Test Dates*

Achievement Tests are being given on Saturday, May 11, with June 10 as the penalty date and June 24 as the closing date. Brookline High School juniors will serve as pages at meetings of the National Association of College Admissions Counselors next November.

### SUMMER SCHOOL CLASSES OPEN FOR ADULTS

Brookline Summer School will open 15 courses to adults as well as to High School students this year.

Upon a recommendation of Superintendent of Schools Robert I. Sperber and the Subcommittee on Instruction, the School Committee voted to admit adults to preview and review classes and regular courses.

Open to adults will be: Typewriting, Typewriting for Personal Use, Writing Workshop, Psychology, Special Topics in Physics, Sewing, Laboratory Studies in Chemistry and Biology, Notehand, Radio-TV Production, Woodworking, Automotive Mechanics, Printing, Pottery, and Pre-Calculus Mathematics.

Two of the classes opened to adults, Radio-TV Production and Pottery, are new offerings. Another new course designed for students is a Black Studies Seminar.

### BROOKLINE GIVES FIRST ADULT EDUCATION AWARD

The dreams of two women came true at this year's Adult Education Open House at the High School gymnasium on March 19. Mrs. Aaron (Pauli Doyle) Fleisher had long wanted to write a book for her children, ages six and seven. Mrs. Harriet J. Miranda had longed to reward Brookline's Adult Education Program for the satisfaction she received while taking art courses more than 20 years ago.

Mrs. Miranda's son, William, who teaches "Opera Adventures" as an adult course in Brookline, helped to fulfill both dreams when he presented a citation and award of \$50 in his mother's memory to Mrs. Fleisher for her alphabet book, "The Very Bestiary," completed as a student in Joseph H. Riley's offset printing Adult Education class.

Mrs. Fleisher created original poems for each letter for such unconventional animals as "fruitbats." Her elegant illustrations were enlarged drawings she made after woodcuts from Webster's Dictionary of 1864.

Adult Education Director N. Wendell Weeks said that it was the first occasion within his long memory that an award had been given to an Adult Education student.

"THE VERY BESTIARY," an illustrated animal alphabet book made by Mrs. Pauli Doyle Fleisher in Joseph H. Riley's adult education Offset Printing classes, won a special award for the first time at a continuing education open house. Robert H. Sturdy, newly elected School Committee member, congratulates her as she receives a cash award and citation, offered by adult education opera specialist William D. Miranda in memory of his mother, Mrs. Harriet J. Miranda, an adult education student in Brookline some 20 years ago.

## PARENT-TEACHER CONFERENCES

### REPLACE LETTER GRADES

Parent-teacher conferences will replace some of the written graded report cards. Students, parents, administrators, and the Pupil Personnel Services joined forces to recommend that letter grading be dropped for grades 1-3 and that teacher conferences with parents and students be substituted, feeling that better pupil evaluation may result.

In a statement presented to the School Committee, the Executive Committee of the Brookline Council for Public Schools supported recommendations of Dr. Francis W. McKenzie, Coordinator of Pupil Personnel Services, to implement as soon as possible the substitution of parent-teacher conferences and brief written evaluations for letter grades for students in grades 4-7.

## IN MEMORIAM

"Harry Downes was indeed an outstanding man. His accomplishments in football — as an All-American at Boston College and as a highly successful coach — will be long remembered. Winning five class championships in a town that had enjoyed very little previous success was a monumental feat and brought a great measure of pride and spirit to Brookline and its high school. As a mathematics teacher and administrator, he was a strong stabilizing force. Faculty, students, and players recall with admiration the manner in which he had complete command of any situation, his articulate and purposeful messages at assemblies and squad meetings, the seriousness and the dignity of his presence.



"Harry's influence reached outside Brookline. Held in the highest regard and honored often by his fellow coaches, he served as president of the Gridiron Club of Boston and the Massachusetts State Coaches' Association.

"To me Harry was an outstanding man for even greater reasons. The influence that he had on his players was amazing. He had a profound effect on the lives of many boys. He demanded perfection on and off the field, and they responded. His influence was manifest in their performance, their self confidence, their sense of right and wrong, and their attitudes toward life. We talked often of the awesome responsibility of the coach and teacher to his impressionable charges and more recently about the fact that football is the last bastion of discipline remaining.

"Harry was also outstanding because of his deep convictions — his strong sense of propriety, his dependability, his complete unselfishness, his genuine modesty, his courage in facing setbacks, his strong religious belief. A very knowledgeable person, he always saw things in perspective and had the wisest and simplest solutions to problems. Although he appeared quite reserved, he was with friends very witty and warm.

"Harry Downes is the truest measure of a teacher and coach and friend that I and many others have ever known. May the ideals that he believed in find expression in our lives."

EDWARD SCHLUNTZ  
Director of Athletics

#### IN MEMORIAM: \*VICTOR E. DOBRAS

Victor E. Dobras, world historian and buoyant high school teacher and former housemaster, died after 14 years of service at Brookline High School. Dr. Bertram H. Holland, former Headmaster, cited him for "boundless energy" and innovative ideas as both teacher and housemaster."

Mr. Dobras was the first coordinator of data processing appointed by the School Committee. He was a friend to all students, an articulate master of the English language, and "admired for his high principles and moral strength," Dr. Holland added.

Members of the social studies department are planning a Victor E. Dobras Memorial Fund, undertaken by Christian W. Ehnes, Head of the Business Department at Brookline High School, to be devoted to student opportunities.

## IN MEMORIAM: DAVID MEYERS

David Meyers, a teacher at Brookline High School, died suddenly on April 11. He served the Brookline Public Schools with devotion and distinction for 29 years since 1941 as a teacher at the Michael Driscoll School from 1941 to 1943; and, since 1943, at the High School in the roles of teacher of the social studies, Assistant Housemaster, and Housemaster.

Mr. Meyers was a forthright man a man of integrity, and a man who was respected by the administrators, teachers, and students. He gave willingly of his energies in activities beyond the confines of the classroom, such as the banking program, the High School Graduates' Scholarship Fund, the Parent-Teacher Organization, the supervision of the High School building, and the scheduling and marking.

## MUSIC IS A STRONG SUIT IN BROOKLINE

Music dates are mushrooming on the Brookline calendar. A diversified diet of music by the Concert Choir (March 13, 14, 21), the Brookline Symphony Orchestra (April 10), and third-grade Brookline violinists in a demonstration conducted by Paul Paradise (April 4) of "Talent Explorations" to the Massachusetts Music Educators Convention in Waltham is an example of the range in age from eight-year-olds through senior citizens. Victor Manusevitch, violinist with the Boston Symphony, conducted the Adult Education Program Orchestra and Brookline Symphony Orchestra violinist Ikuko Mizuno was soloist.

At the High School on April 10 and 11, Choral conductor Roy S. Kelley, instrumental director Edward Madden, and drama coach Edward Belliveau collaborated on an off-beat musical based on Shakespeare's "Two Gentlemen from Verona," entitled "The Boys From Syracuse."

On April 18, the Brookline Youth Concert finale of the season at the High School auditorium featured two former Harry Dubbs Memorial Award Winners as soloists: Myron Romanul and Robert Tumarkin in "Carnival of the Animals." The awards were named for the late Harry Dubbs, Boston Symphony violinist who started these concerts 20 years ago.

This year's Harry Dubbs Award Winners are English horn player George Paradise, son of Paul Paradise; and violinist Ronan Lefkowitz, who also won an International Competition which will take him to Switzerland to study next year.

George Paradise was a soloist at the major fund-raising event for the Brookline Youth Concerts on May 3. The Greater Boston Youth Symphony

Orchestra, conducted by Walter Eisenberg, and the Boston Ballet Company offered a performance of "Peter and the Wolf" at the High School auditorium with Joan Kennedy as narrator. The 7:30 p.m. benefit concert marked the 20th anniversary Youth Concerts.

### *Chamber Music Concerts are Dedicated to Miss Ann E. Macdonald*

Assistant Superintendent of Schools for Curriculum and Instruction Ann E. Macdonald was honored for her consistent interest in music-making in the Brookline Schools at performances by the Brookline Chamber Music Society for grades four through seven at concerts on May 1, 5, 12, and 19 in the elementary schools.

### *Third-Grade Violinists to Shine Again, May 26*

The second half of Talent Exploration by Paul Paradise for third-grade violinists is set for May 26 in the North Wing gymnasium at 7:15 p.m. Beginning students in four elementary schools will demonstrate that even violin music can be made without tears.

### *End-of-the-Year Concerts*

The High School quadrangle concert has been booked for May 30. Two concerts scheduled during the first week of June by the All-Town Elementary Orchestra and Band and the recital of Brookline Music School students at the Town Library, indicate that music-making will go on right up until commencement ceremonies.

### *Lawrence School German Choir*

The Lawrence School German Choir doubles in visual appeal and the attraction of music from the old world. Girls wear matching print dirndls with white blouses which they made themselves with the help of home-making teacher Mrs. Elizabeth O'Toole and boys sing in dark vests and trousers with white shirts. They cover a wide range of folk and classical songs suggesting the "gemutlichkeit" of a small Alpine town.

Brookline's "Meistersingers" are a new group formed of sixth, seventh and eight graders this year by science teacher Donald McComb. They proved their prowess both in music and the German language on April 25 at Boston University, singing polkas, lieder, and schottisches before an audience of 1200 German teachers and students in the New England area. Music teacher Charles Lincoln accompanied the singers, who were rewarded with Sauerkraut and Schnitzelbank at Boston University's annual Tivoli Banquet after the concert.



## TOWN MEETING APPROVES SCHOOL BUILDING PROGRAM

The 1970 Annual Town Meeting authorized additional funds for the new Pierce School site acquisition. It is anticipated that there will be a Special Town Meeting in June to approve funds for construction of the new Pierce School. Following favorable action by the Town Meeting, construction of the school should commence in September, 1970.

The Town Meeting also appropriated funds for architects to prepare plans for the new Lincoln School to be constructed on the Park School site.

Finally, the Town Meeting appropriated additional funds for architects to continue preparing plans for alterations and additions to the Heath, Lawrence, and Runkle Schools, the scope and cost of these three projects having increased since their original approval by the 1969 Town Meeting.

## SECTION THREE — NOVEMBER, 1970

## FALL SCHOOL COMMITTEE MEETINGS FOCUS ON:

Budget hearings. Budget guidelines established by the School Committee in the spring of 1970 call for a freeze on new personnel and a strict control over any budgetary increases not already "built in" such as salary increases voted last year.

A redistricting study for children's safety. Parent-teacher organizations and parents are advising on district boundaries.

The merits of single vs. double sessions for kindergarten.

Bids for construction of the new Pierce School.

Additions and alterations to Heath, Lawrence, and Runkle Schools. Local school planning groups are working with the architects during the design phase.

ALL SCHOOL COMMITTEE MEETINGS ARE OPEN TO THE PUBLIC. Regular meetings are held at 7:30 p.m. on the first and third Monday of each month in the School Committee Meeting Room, 5th floor, Town Hall.

THE SCHOOL WITHIN A CHURCH PROVES  
A HAPPY PLACE

St. Mark's Church, the stone turn-of-the-century building on Park Street, has all the elements a family place of worship should have. It is a landmark, with an ivy league college type tower, a roomy but not cavernous gathering place, and plenty of smaller rooms, equipped with everything from good plumbing to kitchen stoves.

To the surprise of many people, it has just about what an elementary school for 240 children should have, as well. To Principal Timothy Graves, St. Mark's open facilities are already producing better communications among children and teachers.

"In some ways, this is an example of how to operate in an open school plan, which we will be moving into in the new Pierce School in two years," says Dr. Graves. "It is not really a fair test, because we do not have as much

space here as we will have and the acoustics are poor here, but we are finding out the advantages of portable partitions and flexible possibilities."

### *Students' Suggestions are Followed*

Children have had a major say in how the classrooms are arranged and decorated at St. Mark's, just as they did before architects drew up plans for a new Pierce School. The round turret rooms make circular desk groupings a natural solution. No two rooms are alike. There are no long corridors. Intricately carved columns and wooden panels are a source of study in themselves for art students. Surrounding wall spaces are painted a cheerful red contrast with the dark wood.

Children have shown themselves able to adapt and adjust more readily than some adults, Dr. Graves says, pointing to a 19th century coat rack left behind by parishioners. "We were going to throw that away, but some fifth graders made a psychedelic spider web out of it."

### *The Main Room*

The former altar space offers an effective stage. Above it in the choir stalls is the guidance office. A handsome stained glass window overlooks the shop and industrial arts class. By adding high intensity lights and installing carpeting, the main room takes on a home atmosphere.

Shelves filled with books constitute a self-service library. They also serve as room dividers and noise absorbers. The minister's office now houses the principal and his secretary. After curtains are installed there will be clinic space for the school nurse.

On the left of the entrance, opposite the large room are eighth-grade classrooms. Downstairs, stoves and sinks make it homemaking territory.

### *Teachers Gain Lounge Space*

Teachers have a better lounge with easy chairs and a lavatory upstairs than they did in the old Pierce School. Classrooms are divided by shelves or partitions, into quiet corners and discussion rooms. One partition, an ancient roll down wooden screen resembling a cover for a desk, holds its own with the latest 1970 models tried at St. Mark's.

Physical education classes fare better than they ever did before. Girls use the neighboring Griggs playground, and boys are bussed to the Pierce



recreation area on good days. In the case of rain, children are bussed in undivided class groups to the new Brookline gymnasium or pool.

"We're feeling like explorers here," says Dr. Graves happily, as he walks briskly through the unified arts center in the church nave.

In case there is any doubt that there is a school in session at St. Mark's, big letters on the outdoor sermon board read "Pierce School." And there is usually a faithful dog, waiting outside the church for recess time.

### NEW TEACHERS IN BROOKLINE

"Congratulations!" was the message of Superintendent Sperber in welcoming 119 teachers, interns, aides, and assistants to Brookline this year. At a period when a surplus of qualified teachers are applying for desirable posts like Brookline, a new staff of 119 chosen from 6,000 applicants can consider that each was hired on a one out of 60 basis.

One fifth of this year's new members come from Massachusetts, as compared with nearly half last year. The newcomers represent 25 states and six foreign countries. An average experience quotient of four years is reflected in the new roster, and 57 percent have master's or more advanced degrees.

Brookline welcomes 85 new full-time teachers, seven administrators, eight part-time teachers, six Harvard interns, six library assistants, five instructional aides, and two laboratory assistants. Reflecting the surplus of teachers, the Brookline teacher turnover rate was reduced this year.

### *Priorities for the Next Five Years Outlined by Dr. Sperber*

Leading the order of priorities for the Brookline schools during the next five years, Superintendent Robert I. Sperber has proposed establishing a Center for the Advancement of Teaching and Administration in Brookline. In an opening-of-the-year speech addressed to both faculty and the Brookline School Committee, Dr. Sperber outlined seven directions for classroom teachers and administrators to explore in order to develop "a greater sense of responsibility and accountability" and to earn public backing for continued leadership. To achieve this goal, he went on record as "counting on all teachers and administrators to give more afterschool time with children."

### *Students' Responsibilities*

Teachers and administrators will not be the only ones expected to assume greater responsibilities. Students will be encouraged in their requests

to be allowed to take educational initiative. Plans are underway to include juniors as well as seniors in the independent study program. The School Within a School experiment, started this year for 100 seniors and juniors in order to break up house units of 500 to 600 into smaller groups, will also be under continuing evaluation, as will Phase I of the High School reorganization.

More human relations training for teachers and students is another proposal in the seven-point priorities proposed for the next five years. The proposed Center for the Advancement of Teaching and Administration (CATA) could play a creative role here. Outside experts are needed to coordinate efforts already begun within the Brookline school system.

Dr. Sperber took the first step towards establishing a Center for the Advancement of Teaching and Administration in Brookline during meetings in June to draft a proposal with Dr. Max Griffin and 18 teachers and administrators. Such a staff college, they concluded, would give Brookline's best teachers (old and new) a chance to offer in-service training for their colleagues and also pre-service training for future educators at neighboring colleges and universities. Brookline trains some 350 interns and student teachers a year.

### *Roles of the Center*

Roles of the Center would be to disseminate new curriculum, develop new techniques for teachers to guide rather than direct learning, and give Brookline's master teachers the new responsibility of teaching children and other teachers at the same time. Curriculum development would be explored at each school. Research and workshop priorities such as individualized instruction would also be established by the Center.

Part of the funds to support the Center would be sought from outside sources. Higher education agencies might reasonably assume the fiscal responsibility for the clinical training of future teachers. The present program of "additional study allowance" which rewards teachers for relevant university sources and other professional activities will be phased out after 1971. Such funds could be used for the Center, as well as the \$60,000 being spent on new curriculum development. Dropping obsolete courses and reallocating personnel would also free funds from department budgets.

### *Pre-School Priorities*

Educating pre-school children and their parents occupies the next order of importance after establishing a training center for teachers. Dr. Burton

White of the Harvard Graduate School of Education, a nationally known specialist in pre-school education, has been hired with private grant funds released by the School Committee to write a proposal for a five-year grant funding Brookline to test different types of programs. The School Committee and other members of the community would decide first whether or not to adopt a town-funded plan and next a choice among programs which worked.

### *Community College Possibilities*

Two tentative plans will be presented in the late fall to the School Committee for a community college to offer graduates of the Technical-Vocational program and other Brookline High School graduates two years of continued training or a chance of transferring to a liberal arts program. One proposal might involve a collaboration with Newton Junior College, along with five or six other suburban school systems.

Another plan at the state level would be to join with other Boston suburbs and ask the state to establish another community college for the Brookline to Framingham suburbs. This option would seek state rather than local funds to set up a regional junior college. The need for additional higher education facilities is reflected by the financial strain on Brookline parents as the percentage of Brookline High School graduates attending post high school institutions increases.

More human relations training for teachers and students is another proposal in the seven-point priorities proposed for the next five years. The proposed Center for the Advancement of Teaching and Administration (CATA) could play a creative role here. Outside experts are needed to coordinate efforts already begun within the Brookline school system.

### MORE COMPENSATORY PROGRAMS

Additional compensatory programs for children with learning and physical handicaps are recommended for expansion after a six-year crash program which has won statewide attention. Proposed on the priority board are transitional classes between kindergarten and first grade, additional remedial, psychological and physical health services, and regional classes for mentally retarded, physically handicapped, and emotionally disturbed children.

### *Building Programs*

Building and modernizing of elementary school facilities is a necessary adjunct to other priorities, in order to attract families with school chil-



dren and good teachers. Deferring such commitments would only make them more expensive.

Dr. Sperber is appointing a task force of industrial and fine arts and technical vocational teachers to submit plans for a new technical and fine arts building to replace the present outmoded manual training building, which was built in 1901.

Greater support for the Educational Collaborative, which the Superintendent describes as "the only viable regional urban-suburban organization," is the final priority suggested. Five suburban schools are cooperating with two city systems (Boston and Cambridge) to plan programs which no one system could afford on its own. In addition to the small Title III grant and a \$4000 assessment from each member suburban school system, Dr. Sperber recommends increasing Brookline's share from \$4000 to \$10,000 for 1971-72.

Projects supported to date by Educational Collaborative include regional classes for the handicapped, teacher workshops for city and suburban teachers, and exchange programs for teachers and students. EdCo also has the potential to save money for taxpayers of the seven served by the system.

### *Sharing Information*

Information sessions with town employees, such as policemen and fire fighters, and discussions with faculty and community groups by faculty and School Committee members should be encouraged, according to the proposal. More open hearings for staff and community by the School Committee is another suggestion.

### LANGUAGE ARTS WORKSHOP MIXES SUBJECT MATTER

The School Committee Meeting Room in the Town Hall attracted a number of unscheduled visitors a few weeks ago. In addition to teachers reporting for a demonstration by the Language Arts Workshop, casual strangers rejoiced at the sight of teachers sitting on the floor, manipulating puppets and putting animals through their paces.

It was a demonstration for second and third grade teachers by Larry Dougherty's Language Arts Workshop specialists of how to get both students and teachers used to communicating in a combination of fields.

### *Math, Science, and English Share Units*

Three sample units were demonstrated: "Animals," "The City," and "About M." Dr. George Caruso, Director of Mathematics, showed teachers

and visitors how expressive skills in both mathematics and English are developed by having children conduct interviews for sample opinions and putting them into graph form. He also showed films on mathematics and methods.

Science Director David W. Parfitt illustrated how writing up experiments sharpens communication skills in other subjects. Observing animals and observing teachers proved amusing as well as instructive.

One teacher called it "the best workshop I have ever attended, including graduate school and six years of teaching."

### *Children Choose Projects*

Children's choice among projects was an important part of the communications; so was mixing disciplines. Teachers acted out students' and faculty roles in costumes by way of demonstrating how to get groups to react to each other.

Conferences, which are often stereotyped among educators, came in for a new look, as workshop participants tried to analyze the anatomy of a conference. Interviewing procedures, and poll-taking gave teachers a new insight into the students' penchant for campaigning for favorite issues.

Cameras recorded the day. The pictures, the props, and the proposals will survive to be translated into action in classrooms this year.

### RELEASED STUDY HALL TIME (PHASE I) IS EVALUATED

With released study hall time for students given permission by faculty and parents, Brookline High School has taken a "giant step" towards the much discussed independence of tomorrow's students. Self-initiated study and off-campus activity will be the order of the day for upperclassmen in public schools of the future, according to the education prognosticators. Freshmen, although they are not permitted to leave the school campus, are sharing in the freedom of purposeful movement without passes through the school facilities. Education Commissioner Neil Sullivan commended Brookline's pilot program at a press conference evaluation and again at the annual conference of Massachusetts Association of School Committees and Superintendents.

Nine percent of all Brookline High School students were involved in released study time. This runs to a head count of 214.

### *Endorsement of Phase I*

Most students favored released time. Three to one among parents endorsed it. Faculty support was "moderate." Parent support indicated a strong correlation with students' good academic performances.

Housemasters should initiate periodic review of conduct and studies of participating students, the evaluators suggest. Responsibility for making the most of these privileges should be divided among students, parents, housemasters, and teachers.

### *Self-Directed Study Improves*

Students voted overwhelmingly that self-directed study has improved in the freer atmosphere of released study hall time. Evaluators feel that community resources are more important than material facilities. They suggest a talent pool or bank of adult advisors willing to teach and direct students, as a supplement to teachers' guidance.

### *Teachers Need to Share More Time*

Teachers are already agreeing that they must plan to spend more time with students in self-directed programs. No matter how many school facilities are available, the teacher is the basic backup leader in students' independent activities.

### *New Students' Commons Room Needed*

A new commons room or student union, on the college model, has been advocated by students strongly. Resource rooms for students interested in a variety of fields, plus specialized equipment have also been recommended.

### *Drawbacks Pinpointed*

Senior attendance in class is a factor needing attention, say evaluators. Declining attendance rates, although not due entirely to Phase I, could place black marks against the experiment, or even cause it to end. So could careless parking by students and littering in the course of picnic lunches. Both housemasters and students are setting up behavior codes for a good neighbor policy.

### *Academic Performance of Students Involved in Phase I*

In general, the more motivated students have shown the most benefits from the freedom of released study hall time. Correspondingly, Advanced Placement students reported more improvements in their work than others.



The corollary of these facts seems to be that students with less initiative are penalized by being the least likely to seek faculty advice. The one-to-one student-faculty communication, which Phase I is designed to strengthen, among other goals, needs an extra push by teachers to carry it off among less self-confident students, who need such attention most.

### *Self-Structured Time Among Students*

A recognized booby trap in released time is the assumption on the part of some students that time not accounted for is of less value than scheduled classes. Making the best use of time, independently, is the real challenge to both students and faculty.

## LIBRARY PROSPECTS

The Brookline High School Library is opening early in November with \$20,000 in reference materials, thanks to a community-wide drive for funds led by Mrs. Ralph Rudnick to rebuild and equip the resource destroyed by last year's fire.

In addition, all school libraries in Brookline have been allocated a total of \$5,858 from the 1970 Elementary and Secondary School Education Act, through Title II funds. This grant has two purposes: to strengthen print and non-print materials and to acquire over a long term microfilms of periodical files.

Major additions made to library holdings, according to Mrs. Priscilla L. Moulton, Director of Library Services, will concentrate on: (1) Library Technology Reports on a wide range of library equipment, supplies, and furnishings. These materials will familiarize staff members with expanding library facilities in new schools and offices and classrooms as well, and (2) Indexes from the Educational Research Information Center (ERIC). These will provide information inexpensively from an educational clearing-house file.

## THE SCHOOL WITHIN A SCHOOL — A REALITY FROM AN IDEA

Anybody who has ever sat down with congenial people and said, "How would it be if . . . ?" can probably share the excitement of Brookline High School's "School Within a School" which started this year.

It is an idea created by students and teachers to turn a school for 1200 upper classmen (juniors and seniors) into one for 100 students, with the

same excellent teachers, curriculum, and support by the School Committee and administration. Keith Shahan, teacher of social studies at the High School, will be the coordinator. Harvard University's master's degree candidates will aid teachers.

The stage is set: 18 students and teachers sit in classrooms on the fourth floor of the High School. They begin: "We have decided that the School Within a School will consist of 100 juniors and seniors and five teachers in English, mathematics, social studies, and biological and physical science."

#### *Fourth Floor is Chosen Site*

The school has three connecting classrooms on the fourth floor. What does a student have to give up by joining this school? He cannot take a full program of specialized courses — not more than two — and he cannot be tracked in the Advanced Placement or basic tracts. He gives up some of the diversity of the high school for a greater sense of community, sharing, and close personal relationships.

#### *A Hypothetical But Typical Day*

8:00 a.m. Betsey Smith reports for the School Within a School (SWS). Science teacher Richard Y. Coombs is discussing the physics of the atomic bomb. Betsey isn't very "turned on" about space, but when Mr. Coombs gets down to personalities involved in making big decisions, she gets back into focus. Question: "If these men were such geniuses, why couldn't they see how it would turn out?"

9:00 a.m. The class is English. The subject is Bruce Pennington's class is the play "In the Matter of J. Robert Oppenheimer." It isn't an accident. The class has been assigned an essay because Mr. Pennington knew that Mr. Coombs was discussing the atomic bomb in science.

9:55 a.m. A physicist from Arthur D. Little has been invited to discuss the bomb with an ethical philosopher from Boston University. Betsey is lucky. This is a free period on Mondays and Tuesdays in C Block and this fits in with what she is thinking about. On Wednesdays and Fridays she takes gym at this time, and on Thursdays C Block is not an SWS free period and she works on sociology in a regular high school period.

11:35 a.m. After lunch Betsey, who had promised herself never to take another mathematics course, reports for Michael J. Frantz's discussion

on "Math for People Who Hate Mathematics." This course, officially entitled "Topics in Mathematics," like the others has been coordinated by the handful of teachers so that it ties in with atomic bomb science in terms of relativity. "Parallel lines meeting at infinity" suggests a paradox not unlike metaphysical poetry to her.

12:30 p.m. Betsey returns to regular high school classes in a period when she has signed up for French III.

1:25 p.m. Betsey is free to leave for home by this time but the science seminar people are still debating the atomic bomb issue. She decides to stay for a while. The discussion branches out into movie censorship in an offshoot of ethics. Betsey remembers the essay she has promised and the mathematics work still to do and calls it a day in the School Within a School. Until evening that is. The father of a friend of hers has volunteered to give a course on current controversies in law. She wouldn't miss it.

Betsey has a brother. He wouldn't miss game time and could not organize his courses around the School Within a School schedule. They are not envious of each other. SWS is a completely voluntary alternative for students who wish it. It may offer a significant spin-off in "Science and Society" and "Topics in Mathematics" for the regular school. Right now it offers a new approach in a system where excellence and bigness do not have to go together.

### SUMMER SCHOOL SHOWS INCREASE

In a year when many summer schools fell far short of expected enrolments, Brookline showed an increase of 16.4 percent over that of 1969. It was, in fact, the largest summer student population since 1965.

Harvard University Summer School, often considered a barometer in this field, was down by 12 percent this year. Seventy percent of the Brookline students registered for enrichment courses, and 30 percent (160 High School students) signed up for courses for either advanced standing or remedial credit. A number of students had to be turned away because classes, particularly the enrichment courses, were already filled.

Teachers numbered 34, including a full-time guidance counselor. New courses which proved particularly popular included radio and television workshop and pottery. A writing workshop was fully subscribed for the first time in three years. Three teachers from the University of Massachu-



setts did practice teaching at the Brookline Summer School, reports Director John T. Ryan.

Under a new policy adopted by the School Committee, 27 adults were admitted to the program.

### FOREIGN LANGUAGES FLOURISH

"The best activity the High School has ever engaged in!" That is the way tenth-grader Elaine Trent describes a student trip to France, conducted by Dr. Ellen Bergo, Department Chairman.

"Until April, the word French meant only a textbook and a classroom. It is now a country, a civilization, a culture for us," says Carol Goodman, a senior.

A trip to Spain with Dr. Felix Fernandez, a teacher at the High School, elicited from Bill Rosenfield (grade 10) the comment, "a truly unique, once-in-a-lifetime experience" and from classmate Paula Kaufman's mother "Your presence there as the adult member of the Brookline group turned what could have been a good superficial sightseeing trip of Spain into an exciting, marvelous, many-faceted experience."

### *New Individualized Instruction Units in Prospect*

Brookline language students "try out their wings" in other ways besides the literal application of flying to another country. Paul G. Guenette, Director of Foreign Languages, has been meeting with colleagues, including Miss Carole D. Landry, Mrs. Jane Bragg, Mrs. Veronica A. Burger, and Mrs. Marie-Pierre G. Wolfe this summer in order to develop ten new units in French alone, offering students a chance to develop their own language learning. Art impressionists, themes such as contemporary French civilization, "Men in Revolt," science or literature and conversational skills are some of the offerings. Fourth- and fifth-year students are eligible for the new units, starting in January.

### CLASSES START FOR CANTONESE STUDENTS

For the first time, Brookline High School will offer classes in the Cantonese language. The course meets requests from students of Oriental backgrounds seeking to know more about their heritage. Some 30 students will be involved, both in the beginners' category and at a more advanced level, reports Mr. Guenette. Miss Amelia Cheng, who has been in this country for three years teaching in Boston public schools and at language academies while doing graduate work in Chinese studies, will teach both groups.

### *English as a Second Language Helps Elementary Grade Students*

Teachers who volunteer for extended duties as tutors in English as a second language help elementary school students, taking them out of class for half an hour at a time. Statistics are never the same any given year for foreign students needing English as a second language training. "The only constant factor is that the situation is never constant," reports Mr. Guenette.

Last year some 80 students from non-English speaking homes, including Indian, Iranian, Israeli, Japanese, Chinese, Korean, Taiwanese, and Spanish-born parents, were served by Brookline schools. Age levels were as varied as country of origin, spread out from kindergarten to grade 12 in 11 schools. The High School has a full-time teacher of English as a second language, who works with members of the English Department and reading specialists. Classes in English as a second language serve children ranging from those who arrive knowing only a word or two to those with language deficits.

Workshops and counselors train kindergarten teachers to tutor foreign language speaking students. Volunteer aides and students also are able to help newcomers to get into the mainstream of communications.

The Center for Field Studies at Boston College is evaluating a questionnaire sent to more than 1,000 foreign language speaking students from grades 7 through 12 in order to suggest improvements in individualized instruction, cooperative teaching and interdisciplinary courses.

### COMPUTERS POINT TO POSSIBILITIES

Computers have established themselves as valid tools for students faced with important decisions. The statistical results of a questionnaire circulated among the junior class and guidance counselors during the last week of May on the results of using the Interactive Learning System have shown that "The overwhelming majority of students and counselors wish to have the ILS program continued at Brookline High School. They feel this system is an extremely valuable tool for assisting students and their parents in making plans for the years immediately following high school graduation," says the survey.

#### *Computer Procedure to Help Choose College*

First a pupil studies a manual of information provided by Interactive Learning Systems and receives instruction from his guidance counselor. He then builds a profile of what characteristics he wants from among some 300

categories describing 2500 colleges. Geographical locations, living arrangements, and environmental qualities are included as well as academic offerings and requirements.

The student's preferences are communicated by a teletypewriter hook-up to the ILS information bank on Soldiers' Field Road, Brighton. Command letters, selected from a code which appears in the information manual, narrow the field of colleges which meet the student's specifications and print out by teletypewriter almost immediately profiles describing them.

### *Reactions to Interactive Learning Systems*

The ILS computer came to Brookline in March. The trial run at the Town Hall for counselors, students, and parents was like the prognostication scene in "The Sleeping Beauty," when the good and bad fairies vied with each other to seal the princess' fate. Only the future was indicated by facts.

"With the assistance of the ILS computer, greater and more realistic thinking begins immediately," counselors commented in the survey. "The student must make choices and decisions based on knowledge. He must understand himself in relation to his strengths, weaknesses, and interests."

Another counselor's comment reported "The system provides to students and parents tangible information in the form of a printout for present and future reference. Parents are involved in the process much earlier than in the past."

### *Dissenting Opinions*

Reservations voiced about the ILS system pointed to inaccurate information and slow corrective process. Some counselors (two out of ten) voted to discontinue the system because of difficulty in obtaining results. A few felt that the computer added to the "atmosphere already too pressurized for many students."

### *Student Opinions*

A total student response among 291 who were polled voted 88 percent that ILS materials were helpful in thinking and planning for college decisions. Problems in mastering the computer ranged from seven percent, who experienced "great difficulty," to 55 percent with no difficulty.

Juniors polled on whether the computer would be of help voted 75 to 14 percent that it would assist them, with 14 percent undecided. The average time spent in using computers was between 15 and 30 minutes (64 percent).



Fourteen percent of the students used the system for 5 to 15 minutes and 16 percent signed up for it for 30 to 50 minutes.

Students asked to rate the computer in order of importance for performing five different functions stressed first its stimulation of thought on college and career choices, next its flexibility in considering initial possibilities, and in third place its help in narrowing choices. Rated fourth and fifth in usefulness were the system's information and its structured framework for making future plans.

Total student reaction on whether to continue using the ILS system gave it a 96 percent greenlight.

### *Cost Indications*

The average operation cost of the computer system in Brookline runs from \$2 to \$5 per student. The first month's package plan offered material and computer time for 100 students for \$500.

## BROOKLINE GOES ON THE AIR

"This Week's Show" gives Brookline citizens news of "The Week That Is." It is a new student produced show over station WUNR-AM (1600 on the dial). Between 9:30 and 10:00 p.m. every Thursday, Brookline students will report on what is going on in the schools. The first Thursday of each month will feature a call-in show and the second Thursday will offer panel discussions. All student produced shows, and student-faculty talent sessions will also be offered.

Drugs, dress codes, food services, financial reports: you dial it, the students will find the facts for you.

R. Dennis Becker, a High School teacher, is directing the radio show. Students will man announcing, research, engineering, production, and information committees. They will work in a small studio at the High School and at WUNR studios in Boston for finished productions.

The series is designed to offer vocational training and field experience for students interested in broadcasting and to spark communications between Brookline's schools and the people whom they serve.

## THE PHILOSOPHY OF BROOKLINE HIGH SCHOOL

Developing the growth of each student towards his highest potential, drawing on different backgrounds, is the philosophy of Brookline High

School, according to a staff study. A report accepted by the School Committee was drafted by Miss Marion L. Cronan, Director of Homemaking; the late Victor E. Dobras; teachers Roland A. Dwinell, James T. Garrett, Julian T. Karvoski, Mrs. Sophia Lane, Harry O. Lent, Mary J. Taylor, Mrs. Inez K. Woodberry; Carmen P. Rinaldi, Headmaster of the High School; John T. Ryan, Coordinator of Technical-Vocational Education; Harris B. Siegel, Housemaster; and Robert T. Wiggin, Chairman of the Mathematics Department.

Fostering intellectual, emotional, and physical development are the aims of the school in order to help produce informed, aware, self-disciplined people. Responsibility is defined in terms of students able to evaluate the effects of their actions on themselves and upon others and therefore ready to make discriminating choices.

### *From 3 R's to 7 Skills*

The traditional "3 R's" have grown into 7 basic skills — Reading, Writing, and Arithmetic, plus speaking, listening, observing, and questioning. These intellectual requirements are geared to prepare students for creative careers and constructive citizenship.

Three new "R's" encourage Rational thinking, Realistic evaluation and Reasoned expression.

### *Cultural and Ethical Values*

Freedom to think and the responsibility to do so, carries over from intellectual goals to value judgments. Both academic and extra-curricular activities at the High School bring out the cardinal need for balancing self respect for the right of others. Coupled with respect is a continuing invitation to active service at home, in the school, and in the community.

Changing social values, away from material goals toward relevant social action, are encouraged through arts, civic and social clubs.

### *Physical and Mental Health*

Recreation skills and sound physical and mental health are the foundations of intellectual and ethical freedom of action. Cooperation and sportsmanship go hand in hand with respect for other's rights. Sound health provides a basis for self confidence.

The stresses of adolescence are met with the aid of experienced counselors, who can put these pressures into perspective because they deal with the majority of students at a crucial time in their development.

### BROOKLINE APPROACHES DRUG PROBLEMS WITH CONTINUITY AND A COMMUNITY-WIDE APPROACH

Roger F. Aubrey, Director of Guidance, has evolved guidelines for public schools in dealing with drug problems. The guidelines help to spell out the do's and don'ts of an effective program and are based on Brookline's pilot in-training program last spring. Among the crucial facts he indicates are: (1) efforts to reach youngsters must begin early, (2) they must involve parents and law enforcement personnel, and (3) they must be well coordinated and offer continuity of action.

Citizens and community agencies concerned with the drug problem naturally focus on public schools, which have both a "captive audience" of young people and public funds. However, schools cannot solve drug problems without the cooperation of law enforcement officials, referral agencies, parents, other citizens, and community agencies, Mr. Aubrey points out.

#### *Key Elements for Drug Control Programs*

The following components are suggested as minimal requirements for an effective school-community drug prevention program.

(1) *Organization of joint school-community drug education committee with a wide representation of available talent and resources.* A 14-member Brookline School Drug Education Committee, led by Mr. Aubrey includes two school physicians, Dr. George Kahn and Dr. Gloria Rudisch; J. Robert Eddy, Director of Physical Education; Miss Lillian G. Murdock, Chairman of Guidance at the High School; Gerard P. Cote, Principal of the Lincoln-Sewall Schools; Miss Ann E. Macdonald, Assistant Superintendent of Schools for Curriculum and Instruction; David W. Parfitt, Director of Science; Dr. Francis W. McKenzie, Coordinator of Pupil Personnel Services; and Joel S. Gopen and John D. Ansty, school social workers; all from within the school system. It also contains three community members, Dr. Muriel B. Wilbur, Health Educator for the Town of Brookline; Lt. William Miller of the Brookline Police Department (since transferred, to be replaced by a juvenile officer); and Miss Dorothy Mooney, Executive Director of the Brookline Mental Health Center.

(2) *Written school policies with respect to youngsters apprehended selling, using, or possessing drugs.* Policies for Brookline were drawn up by



the committee in separate categories covering elementary and secondary students. They were approved by the School Committee on June 15, 1970.

(3) *In-service training for staff.* Training for 125 school staff members started in April, 1970. Aimed mainly at the elementary level (kindergarten to grade four and seventh and eighth grades) to reach children before they had sampled drugs, the education program involved teachers, counselors, and school nurses in panel briefings, films, and seminars. During orientation this September, Dr. David Lewis of Harvard University and Beth Israel Hospital and Mr. Aubrey brought 120 new teachers up to date on the drug education program.

(4) *Reach the children early.* Following the recommendation of drug experts that children should be reached before grade 8 or 9, the committee developed programs on prevention of poisoning for kindergarten and first grade, using a curriculum guide prepared by the Department of Health, Education, and Welfare. During the summer Mr. Parfitt prepared material with science department colleagues, aimed at middle grade children. Elementary school counselors of seventh and eighth graders adapted their material from resources prepared by the City Schools Curriculum Service of Boston in conjunction with Dr. Lewis. Courses were also prepared for ninth graders to take twice a week in health education, including eight weeks spent on drug information.

(5) *Cooperate with law enforcement agencies.* Brookline police Lieutenant William Miller met with counselors, principals, and the drug committee a number of times and also served on a panel during the in-service program with Brookline Police Chief Rourke.

(6) *Use all counseling services available in schools and community.* Elementary school counselors and principals coordinate policies and referral procedures with medical personnel available within the schools. At the High School twelve counselors and three psychiatric social workers work on emergencies and short-term problems connected with drugs and direct these students and their parents to outside help. The school doctors and nurses are also available for emergencies and outside referrals.

One weak spot in Brookline is the lack of a 24-hour resident facility for seriously drug dependent youngsters, Mr. Aubrey reports. Brookline is fortunate in having the services of Dr. William Barnum, Director of the Brookline Mental Health Clinic, to serve as a psychiatric consultant to the schools. Dr. Barnum is available for consultation with any student suspected of being psychologically or physically dependent on drugs and he together

with the student's guidance counselor, principal, and parents form a team in seeking rehabilitation assistance for troubled youngsters.

In Brookline, a student's parents are always consulted before the school calls for police help in cases of pupils apprehended on drug charges. The Superintendent is advised in all cases and in turn keeps the School Committee informed. Students selling or dependent on drugs will be suspended. Reports from psychiatrists or doctors and a meeting with school officials will be required before readmission to school. Acute drug intoxication in school, like any other acute health problem, will receive immediate medical evaluation followed by recommendations of the drug committee. Any staff member with definite knowledge of student drug abuse must report this information to the principal.

(7) *Educate adults as well as youngsters.* As of this October, a subcommittee of drug educators headed by Dr. Wilbur began preparations for launching an information program aimed at parents and concerned adults in the community.

(8) *Evaluate the program.* Some research and evaluation on the extent of the student drug problem has been conducted by students in Brookline High School. In addition, an evaluation among teachers trained in drug education was conducted last spring. A further long-range evaluation in cooperation with Beth Israel Hospital and the help of Dr. Lewis is now in the planning stages. So far, "not one red cent" has been available from federal, state, or local sources for any aspect of the Brookline program, Mr. Aubrey reports. Departmental funds have had to meet the costs of developing a program. Now that it has started, it will become a school budget item.

(9) *Continuity is the main thrust of the whole process of drug education.* It is furthered by the in-service training of teachers, written school policies and procedures, the Drug Education Committee and its various subcommittees, the curriculum programs and liaison with community agencies.

### *High School Drug Issues*

The Headmaster, if convinced that students have been involved in the sale, possession, or use of drugs or alcohol in or out of school, to the extent that his presence in school would be harmful to himself or others, should suspend a student until he has consulted physicians, nurses, counselors, housemasters, psychiatrists, and attendance supervisor. Parents must confer and in cases involving law enforcement agencies or courts, probationary action may be necessary before readmission to school.

### *Training School Staff*

A crucial step advocated by Mr. Aubrey for dealing with drug problems is to make all faculty members responsible for sharing responsibility in dealing with drug abuse. Elementary school faculty should be trained before high school teachers, and funds or resources should have priority at the earliest levels. Continuous training, covering all new teachers as they begin serving, is stressed.

### *Materials and Programs for Dealing with Drugs*

School systems should take advantage of commercial teaching aids, audiovisual equipment, books, and other materials, rather than wasting time and money in attempting to develop their own, according to Mr. Aubrey. They should also be honest in dealing with police officials rather than trying to administer judgment on their own. Students who are not involved in drugs but are seeking discussion with a counselor or medical official should feel free to ask for interviews.

### *Referral and Rehabilitation Agencies*

A review and comprehensive listing of all human and material resources should be an early undertaking by a school drug committee, Mr. Aubrey suggests. Welfare, social, religious, and fraternal agencies, local hospitals, clinics, drop-in centers, doctors, and psychiatrists should all be at the other end of the telephone. Former addicts and potential citizen aides are also of great assistance. Anonymity is an important consideration. "Hot lines" and overnight centers are also invaluable for crises.

### *Built-In Research on Coping with Drugs*

Both schools and communities share the responsibility for evaluating and researching drug deterrent programs. Ways of involving preoccupied parents and changing their attitudes as well as those of the potential or active drug abuser are significant trail blazers for other communities, according to Mr. Aubrey.

## FIDDLER IN THE LOFT

More than 150 in the audience started clapping and chanting as Pierce School sixth graders swung into the song "To Life, to Life, L'Chaim" at a November 20 performance of "Fiddler on the Roof." Charles Lincoln directed Mrs. Carol Sager's class in performing the Broadway musical.

The fiddler sat on the rail of the choir loft instead of the roof.



## In the cast were:

Leslie LaBarge - Tevye  
Janet Nowsielski - Golde  
Kathy Pinnick - Tzeitel  
Sheila Finkel - Hodel  
Adriana Weckler - Chava  
Susan Gosdanian - Shopinztel  
Patty Karidoyanes - Bielke  
Jacqueline Levy - Yente  
Phillipe Frangules - Motel  
Brian Lynn - Perchik  
Lloyd Walford - Lazar

Margaret Hayes - The Rabbi  
Paul Buchanan - Frikas  
Richard Conway - Mendel  
Pierre Lohr - Avram  
Peter Petri - Nahum  
Michael Martin - Mordchy  
Matthew Sperber - Constable  
The Fiddler on the Roof -  
Lisa Figuera  
Douglas Glawson, Jason Tilton and  
Lynne Farnsworth - 3 Villagers

## \$2,206.00 DOLLARS FOR SCHOLARS

More than \$2,000 (\$2,206.00 to be exact) goes into the Dollars for Scholars fund from a benefit performance, "An Evening With Mike Wallace." The CBS broadcaster, who is a graduate of Brookline High School with the Class of 1935, volunteered his services for the show, which more than 1,000 students, parents and teachers attended. One English class used the evening as the jumping off point for discussion on news analysis.

# Library

## TRUSTEES OF THE PUBLIC LIBRARY

GEORGE BLACKMAN

FRANCIS CASWELL

RUTH S. CHUTE

PHILIP DEAN

EMILIE L. DROOKER

BERNARD E. EDELSTEIN

TUDOR GARDINER

MORRIS GOLDMAN

ROBERT I. HUNNEMAN

\*SIDNEY L. KAYE

FRANCIS PARKMAN

BARBARA A. TAUBENHAUS

Theresa A. Carroll, *Town Librarian*

The outstanding event of 1970 has been the joint planning by the Trustees of the Public Library and the School Committee and their respective architects with respect to the providing of a common parking facility for the new Pierce School and the Main Library. This may be the first instance of joint planning by two separate departments having a common purpose.

Those who use the Main Library will understand how over-crowded it is and how badly the planned addition is needed. In the light of the magnitude of the appropriations which will be requested at the town meeting in March and the apparently inevitable increase in the tax rate the trustees have taken a second hard look at the plans. Having done so, the trustees are confirmed in their opinion that the necessary appropriation should be made at the March town meeting.

### *Trustees*

Mr. Sidney L. Kaye died unexpectedly on Thursday, September 8, 1970 at the age of 62. "Mr. Kaye was elected to the Board on March 3, 1965 and has devoted himself since that date primarily to one of his favorite interests, namely, the Building Committee of which he was the Chairman. Although a man of business, — he was the President of the Suffolk Grocery Company in Somerville — his list of educational accomplishments includes a master's degree in Public Health from his alma mater, the Massachusetts Institute of Technology, a period of service as bacteriologist with the Boston Health Department, another period as a Trustee of Emerson College, and of the Beth Israel Hospital and Combined Jewish Philanthropies and as National Vice Chairman of the Fellows of Brandeis University. In addition, he has just been awarded the Brandeis Medal for Distinguished Service to Higher

\*Deceased 9/8/70

Education. He has generously and gladly shared with the trustees of this library the fruits of his wide experience in these several fields of community activity.

"In coming to any decision he always insisted on knowing the facts. His natural thirst for knowledge was at the basis of his enthusiastic interest in libraries and as a result he earnestly wished to have all public libraries adequately housed, staffed, and stocked so that every citizen could have the facilities necessary to increase and foster the love of learning." (Quoted from "A Minute for the Records of the Public Library of Brookline", September 15, 1970.)

### *Buildings*

On March 17, 1970, the Building Commission inspected and accepted the additions and alterations to the Coolidge Corner Branch Library. Open House, held on September 24, 1970 attracted a sizeable number of admiring visitors. An outstanding feature of the Coolidge Corner Branch Library is the beautiful interior garden with its European Fan Palm, laurel tree, large Bird of Paradise and Norfolk Island Pine. The three branch library buildings are now in excellent condition, well furnished, ready for many years of service.

The 1970 Annual Town Meeting appropriated \$160,000 for working drawings and specifications for alterations and additions to the Main Library. When the work on the Main Library is completed, the Town of Brookline will have an excellent library plant.

### *Books and Audiovisual Materials*

Among the public libraries of Massachusetts, the Public Library of Brookline has been noted not only for the quality but the quantity of library materials it has acquired. This year the increase in the prices of books and periodicals has reduced appreciably the number of books purchased for the collection. In addition, more books were bought in the fields of sociology, science, technology, and fine arts, specialized books which are more costly. 507 fewer volumes of fiction were added this year, a total of 4,066 volumes in 1970 as compared with 4,573 volumes in 1969. Fiction accounts for only 19% of our book purchases.

The U. S. Government Printing Office has opened a Government Book Store in the John F. Kennedy building in Boston. Orders for government documents are now sent directly to this store. Deliveries are received within six weeks. Prior to this deliveries from the Washington Government Printing Office were often received three or four months after placement of orders.



The Public Library of Brookline is one of seven public libraries in Massachusetts privileged to serve as a depository library for government publications, which it has been receiving since 1925 on a selective basis. Thirty periodicals, numerous pamphlets, yearbooks and annual reports are among the documents received.

Problems developed this year, when our principal book jobber placed some of his operations on a computer. Book deliveries have been slow and service to the public affected.

The library now has the New York Times on microfilm from 1913 to the present. All Brookline newspapers and a selected number of periodicals frequently consulted for reference purposes are also on microfilm. A coin operated microfilm reader-printer will be available for the public at the Main Library.

The Public Library Association, American Library Association has now submitted a report to its Board of Directors on Standards of Audiovisual Services in Public Library systems. These guidelines are intended for libraries serving populations of 150,000 or more. Brookline, of course, has a population of less than 60,000.

One of these recommendations, pertaining to the number of sound recordings, suggests a minimum of 5,000 discs. The Public Library of Brookline now has 6,784 discs, a number well beyond the minimum requirements for communities serving a population of 150,000 or more.

(Note. With a gift of \$100 from the Brookline Civic Symphony Orchestra, a new category of phonograph records has recently been purchased. It is called the Music Minus One Series, which gives an instrumentalist an excellent opportunity to practice performing with an orchestra or a chamber group as the solo part is omitted from the recording.)

The need for films for use within the Brookline community has not yet been clearly established. The Public Schools now have their own Department of Audiovisual Education. Library sponsored film programs for adults have never been well attended, but film programs for children have always had an enthusiastic response. At the present time, the Public Library of Brookline, as a member of the Massachusetts Libraries' Film Cooperative, has a small rotating collection of 16 mm films available for community use. As the Public Library of Brookline is also a member of the Eastern Mass. Regional Public Library System, Brookline residents may borrow films for organizational use directly from the Boston Public Library. Considerable

Federal and State funds have been allocated to the Boston Public Library to compensate for this service.

For effective community public service a minimum of 300 16 mm films is recommended, the possible cost of this number of films would be approximately \$66,000. This sum does not provide funds for necessary staff, any additions and replacement of films to maintain the collection.

Other kinds of audiovisual materials are now available in quantity. The library will wish to choose those of good quality and potential service to the community.

### *Library Use*

The borrowing of books and other library materials increased this year by four percent, 17,351 items over last year. It is difficult to determine precisely what factors may account for this increase. After the fire last year, the High School Library has been able to provide only limited service, so that more students may be using the public library. However, this does not explain the increase in use in June, July and August, months with traditionally low circulation.

Displays, book lists, newspaper publicity, National Library Week programs, story hours have all been used to promote an interest in library service. The Library continues to have long lists of books reserved by borrowers, 439 different titles at the Main Library as of October 30, 1970. A few of the popular books this year have been: "French Lieutenant's Woman", "Mary, Queen of Scots", "The Godfather", "The Selling of the President, 1968" and "Inside the Third Reich".

There is a great demand for reference service in the children's section as well as the adult area. Periodicals are a major source for reference use. This year we have noted more requests for magazines in the field of education. Reference questions may be relatively easy to answer or require extensive searching, e.g., Who owns the portrait of Sir Richard Saltonstall which was painted by Rembrandt? How do teenagers affect the market? What products do they buy and do their tastes affect the market? The Children's staff observes that the children use the library primarily for reference.

### *Book Losses*

It is discouraging to report again that since 1960, 465 art books, 113 music books, and 1,045 history and travel books have disappeared from our shelves. An inventory of the fiction collection reveals a large number of fiction titles to be missing. Even more deplorable is an additional 2,426 books charged out to borrowers which have not been returned. In general, book

losses from branch libraries and the children's room are minimal. It is the book collection for adults at the Main Library which is subject to the greatest losses.

### State Aid

The new state aid law (G.L. Ch. 636, Acts of 1970) increases the direct per capita state aid grant to each community from 25 cents to 37.5 cents. It also revises the formula for state funding for three public library regional systems, and allows for a separate grant to the Boston Public Library as the central resource library for the state.

### Staff

In today's bewildering economy, staff vacancies so numerous only a few years ago have suddenly disappeared. There is still a lack of qualified applicants with experience, but there are certainly more applicants on the beginning level in the Boston area. Members of the staff have had an opportunity to attend professional conferences and workshops on a variety of topics this year. There have been a number of staff meetings within the library to discuss ways to improve library service to the community. Two members of the staff have benefited from the funds appropriated for training to improve library skills.

The hard and devoted work of the staff have contributed to make 1970 a busy and satisfying year.

Statistical information is appended.

### APPENDIX

Annual Report for the year ending .....	December 31, 1970
Name of Library .....	Public Library of Brookline
Date of founding .....	March 30, 1857
Town, County, State .....	Brookline, Norfolk, Mass.
Name of Librarian .....	(Mrs.) Theresa A. Carroll
Population served .....	58,886
Terms for use .....	Free for lending

### AGENCIES

Central Library .....	1
Number of Branches .....	3
Total agencies .....	4

### HOURS OPEN FOR CIRCULATION, READING AND STUDY:

Main Library .....	73 hours per week ( 9 mos.)
	54 hours per week ( 3 mos.)



Coolidge Corner Branch .....	66 hours per week ( 9 mos.)
	65 hours per week ( 3 mos.)
(Open on Saturday in summer)	
Putterham Branch .....	58 hours per week ( 9 mos.)
	43 hours per week ( 3 mos.)
Chestnut Hill Branch .....	25 hours per week (12 mos.)
Number of days library service available in community .....	342
Holidays on which the library is closed entirely: New Year's Day, Washington's Birthday, Patriots' Day, Easter, Memorial Day, Bunker Hill Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Christmas.	

## CIRCULATION AND USE

	Volumes
Total volumes lent .....	424,408
Interlibrary Loan:	
Books borrowed by Brookline .....	412
Books loaned by Brookline .....	63
Public Library circulation per registered borrower .....	20
Public Library circulation per capita .....	8

## REGISTRATION

	Adult	Juvenile	Total
Number of new borrowers registered during the year	5,035	733	5,768
Total number of registered borrowers .....	17,052	3,998	*21,050
Percent registered borrowers of population served ...	39.2%		
Registration period, year .....	2	3	

\*This figure does not include 726 non-resident borrowers registered in 1970. (480 of whom paid \$3.00 non-resident fee)

## BOOK STOCK

	Adult	Juvenile	Total
Number of volumes at beginning of year .....	243,128	35,123	278,251
Number of volumes added during the year .....	15,025	5,565	20,590
Number of volumes withdrawn .....	4,809	4,013	8,822
Total number of volumes at end of year ..	253,334	36,675	290,019
Pamphlets put into pamphlet file not counted.			
Number of newspapers currently received excluding duplicates:		27	
Number of periodicals currently received excluding duplicates:		707	
Phonograph records in collection: .....	6,784		
Maps in collection: .....	633		
Rolls of Microfilm in collection: .....	3,073		
Photographs and prints: .....	19,970		

FINANCIAL STATEMENT  
1970

Assessed Valuation of Government Unit Served .....	\$444,341,900.00
Receipts:	
Town of Brookline .....	\$664,315.00
Voted at Annual Town Meeting for Adjustments in Salaries .....	20,000.00
State Aid for Free Public Libraries .....	13,511.00

Town Appropriation .....	\$697,826.00	
Income from Trust Funds for 1970 .....	6,947.84	
TOTAL .....		\$ 704,773.84
Unexpended Balance, Trust Funds, December 31, 1969 .....		10,374.90
		<u>\$ 715,148.74</u>
<i>Expenditures:</i>		
Salaries, Library Staff .....	\$	395,756.61
Salaries, Pages, Parttime, Overtime .....		53,688.58
Salaries, Building Staff .....		42,578.60
Books .....		109,326.92
Phonograph Records, Tape Recordings, Music Scores .....		2,259.37
Films and Microfilm .....		7,716.88
Periodicals, Indexes .....		7,418.47
Binding and Rebinding .....		5,926.57
Other Operating Expenses .....		57,849.23
Total Operating Expense .....	\$	682,521.23
Balance on Hand at end of fiscal year, Town Appropriation .....		21,227.89
Unexpended Balance, Trust Funds, December 31, 1970 .....		11,399.62
TOTAL .....		<u>\$ 715,148.74</u>

(1) Amount received from fines, non-resident cards, books lost and paid for, damaged books, in 1970, transferred to Town Treasurer: \$17,278.49.

# Health

## DIRECTOR OF PUBLIC HEALTH

HENRY M. GREENLEAF, M.D., M.P.H.

### HIGHLIGHTS

Because of growing concern about the hidden elderly, survey made of 180 elderly living alone in single houses.

Heart Screening Program established as an important additional service offered by the Health Department. Followup started on those who went through the program a year ago to continue the service and enable evaluation of effectiveness of the program.

Comprehensive dental screening program with appropriate followup instituted in the elementary schools. One part-time dentist and a full-time dental hygienist added to the staff for this.

Director elected to Vice Presidency of Massachusetts Health Officers Association; two staff members elected chairmen of their respective sections by the Massachusetts Public Health Association.

An additional parochial school (Hebrew Academy) added to the school health services.

Fluoridation of water supply ordered by the Director of Health.

Rabies immunization clinic for dogs augmented to accommodate the first year that such vaccinations were required by state law.

Final campaign conducted to immunize all pre-adolescents against German measles in order to protect women in early pregnancy.

Occupational Health Program policies for School Department personnel revised and accepted by School Committee. Similar health policies adopted by the Park and Forestry Department.

Cooperated with the Selectmen's exploration of a Boston-Brookline health resources organization.

Dr. Joseph Garland resigned after 20 years of service on the Advisory Council on Public Health; replaced by Jonathan E. Fine, M.D., M.P.H.

The over-all program of the Health Department is increasingly reflecting the peculiar demographic characteristics of Brookline. The 1970 Census is expected to show that 20 percent of the population is in the 65-and-over age group in contrast to 10 percent in the United States as a whole. The area around Coolidge Corner has one of the highest concentrations of the elderly in the United States, if not in the world.

The health needs of people of this age group are different from those of young people and those of middle age. Four out of five have a chronic disease although most of them are not chronically ill. The goal of the Health Department is to help these people as well as the younger adults in the community learn of the existence of chronic conditions while they can still be treated effectively and the consequences avoided. Accordingly increasing cludes tests for diabetes, and the Glaucoma Screening Program. The num- emphasis is being put on programs such as the Heart Program, which in- ber of persons being seen in both the Heart Program and the Glaucoma Program per session has been increasing each year.

It should be emphasized that neither of these programs is limited to the elderly. People of 35 and over are urged to attend the Glaucoma Clinic and the Heart Program is open to people even younger.

Other age groups are not neglected. In fact the Well Child Conferences and the Dental Clinic, both operated for young age groups, are extremely active programs. Their high calibre is attested by the large number of students preparing for the health professions at the colleges and universities in the metropolitan area who visit the Health Center as part of the program planned for them.

## CHRONIC DISEASES

### *Glaucoma*

Again in 1970, six screening clinics for glaucoma were held, three in the Spring and three in the Fall.

The Health Department has been fortunate to secure Dr. Perry Rosenthal, a Board certified ophthalmologist and Brookline resident, as medical director of this program. Resident ophthalmologists of the Massachusetts Eye and Ear Infirmary worked with Dr. Rosenthal at the three clinics in the Fall.



Clinic procedures have been revised to make the most effective use of the physicians' time and cut down as much as possible on the time that patients have to wait. Additional volunteers and staff from the Health Department and the Visiting Nurse Service also were added to the clinic staff to facilitate this.

A total of 579 people were examined at the six clinics, compared with 517 in 1969. Of these, 35 were referred for further examination, usually because of suspicion of glaucoma. Previous records of those who have been to the clinic before are made available to the ophthalmologist for help in making his final assessment.

It has been most rewarding to those participating in the program to realize that several of these people have had cases of glaucoma diagnosed early enough so that they could be treated and loss of vision prevented. In addition to glaucoma, other visual defects were also noted and are included in the above referrals. Voluntary letters of thanks from the private ophthalmologists show the value of this service.

It should be noted that the number of people seen at the clinics this year was higher than any previous year although there was not sufficient money for newspaper advertising of each of the clinics. News releases in the local paper, notices on the back page of the Health Department Bulletin, and mimeographed announcements distributed throughout the Town helped to make up for the lack of newspaper advertising.

At the last clinic an opportunity was offered to have a screening for oral cancer. A total of 115 took advantage of this. Two patients were found to have suspicious lesions and were referred to their private dentists for follow-up. Participating in this clinic were 4 faculty members of the Forsyth School for Dental Hygienists and 4 graduate dentists, all working as volunteers.

The glaucoma clinics require a large staff of Health Department and Visiting Nurse Service personnel which is augmented by aides from the Information and Referral Service of the Brookline Multi-Service Senior Center and volunteers from the Golden Age Club.

The value of the glaucoma screening program can be measured not only by the number of people referred for further examination but also by the satisfaction given to the much larger number who have the knowledge that their screening test was normal. Emphasis in the clinic is on the fact that this is a screening program only. No diagnoses or treatments are given.

### *Heart Program*

1970 was the second full year of operation of the Heart Program. This is essentially a program to screen for coronary risk. The Program is being

increasingly recognized as one of the most valuable activities of the Health Department.

The program has been guided by an Advisory Committee consisting of Dr. Harold D. Levine, Cardiologist at the Peter Bent Brigham Hospital; Dr. Alexander Marble, Director of the Joslin Clinic; Dr. Robert B. McGandy, Associate Professor of Nutrition, and Dr. Fredrick J. Stare, Chairman of the Department of Nutrition, Harvard School of Public Health.

Dr. James H. Jackson, a Brookline internist, has continued to serve as the Medical Consultant to the Program. The Advisory Committee has recommended that emphasis in this coming year be placed on urging screenees to return within a year, whether the previous results were negative or positive.

During 1970 a total of 383 people went through the screening program. Of these 334 were considered sufficiently abnormal to warrant referral to their private physicians for further diagnosis and any necessary treatment.

The Advisory Committee feels that one of the greatest values of the Program is the opportunity for repeated annual screenings. A year after each screening a notice is sent advising screenees to have a recheck, regardless of the results of the previous screening. Many of these people are taking advantage of this opportunity.

Although research is of secondary importance, a computer analysis was made of the screening test results of the first 492 of those who went through the Program in 1968 and 1969. This analysis has been made under contract by the Research Department of the United Community Services of Metropolitan Boston. The data showed the following highlights:

40 percent of the screenees were classified as abnormally overweight.

Of the 249 who were considered to have increased coronary proneness, and were referred to their private physicians, 135 or 54 percent were seen in an office visit, according to the report of the physician.

The people making use of the screening clinic are remarkably similar to the general adult population of Brookline with regard to sex, marital status and occupational classification. There are significant differences, however, in age distribution. A significantly fewer number of the screenees were in the 21 - 40 age range, and a significantly higher number were in the 61 years or over group than in the general population of Brookline. The age range of screenees, 41 to 60, is almost identical with that in the general population.

Plans are being formulated to encourage younger people to participate in the Program, possibly by early evening clinic sessions for those who cannot attend the Program in the morning.

#### CONSULTANT ON AGING

##### *Nursing and Rest Homes.*

The surveillance of nursing and rest homes has been continued, particularly when complaints are received or when renewal of state licenses is imminent. Four more nursing homes in Brookline closed during 1970. Two others were unable to supply the nursing service required to be licensed as nursing homes and have become rest homes. One new modern nursing home was opened. Thus during the past two years, despite the opening of two new modern nursing homes, there has been a net decrease of about 110 nursing home beds and an increase of about 60 rest home beds. At the same time the over-65 population of the Town has increased by approximately three hundred.

##### *Statistical Analysis of 65 and over Population*

During 1970 a comprehensive analysis by precinct of the over-65 population as reported in the 1969 Street List was completed.

This analysis showed:

- 10,311 people over 65 lived in Brookline.
- 2,240 lived with family or friends in their own home.
- 169 lived alone in their own homes.
- 210 were lodgers in licensed lodging houses.
- 281 were lodgers in family.
- 119 were lodgers in service.
- 383 were patients in a health care facility.
- 6,525 were renters of rooms or apartments.
- 384 were in public or public assisted housing.

Of these, 34 were in housing for those displaced by urban renewal; 74 were in subsidized housing; 67 were in veterans' housing.

##### *Survey of Home Owners Living Alone.*

The above analysis was followed by a mail questionnaire survey of the home owners living alone. More than 80 percent of these are women. Replies indicate that this group has considerable foresight and self-sufficiency. Almost



all have Medicare A. About 75% have made a will. Nearly all do their own shopping. Two-thirds have obtained a reduced rate card for travel on the M.B.T.A. Two-thirds would welcome a periodic security check of their home. About 60% have named an executor of their will and have left directions for carrying out their wishes.

This survey has emphasized the need for a better method than now exists for providing immediate aid in crisis situations of health and safety for Brookline's increasing elderly population and particularly for those who live alone.

An analysis of the deaths in Brookline during 1969 showed that 566 of the 997 deaths recorded during that period were citizens past 65 years of age. In other words about 19 percent of the population accounted for 57 percent of the deaths.

While 566 residents over 65 died in 1969, 742 became 65 years of age in 1970 according to the 1970 Street List. This is another indication of the increasing over-65 population in the Town.

### *Tuberculosis*

Chest clinics were held twice a month in the Stephen G. Train Public Health Center under the supervision of Dr. Elliot D. Giddon, the clinic physician.

Of the seven persons hospitalized for tuberculosis during the year two died (one from other causes), and five were discharged. Three of these have moved out of town. Two remain in Brookline and are under medical supervision; one through the clinic, and one under a private physician.

Four new cases and three reactivated cases of pulmonary tuberculosis were discovered in 1970. Five of these are under the care of the clinic; the others are under private supervision.

Six students referred from the School Health Service were put on prophylactic treatment for a year. Three persons were referred from other sources for prophylactic follow-up care for conversion. This is an increase of three cases over a twelve-month period.

### NURSING SERVICES

To avoid duplication of effort and overlapping of services to local families, the Health Department purchases nursing services under contract from the Brookline Visiting Nurse Service. This agreement enables the Visiting



Nurse to assume the broad function of public health nursing in terms of health education, the control and prevention of disease, and the administration of bedside care to patients in their own homes, under a physician's orders. The Visiting Nurse Service is certified under Medicare as the Home Health Agency for the Town of Brookline.

Well Child Conferences are conducted in the Health Center every Wednesday and Friday throughout the year from 9:30 to 11:00 a.m., by appointment only. Dr. Eleanor Zaudy and Dr. Wilhelmina VanDyke are the pediatricians who counsel the parents and give the children physical examinations and the necessary immunizations. The staff of the Visiting Nurse Service also makes home visits to children enrolled in the Well Child Conferences.

Nursing consultation services are provided senior citizens living in the four elderly projects on Pleasant Street, Marion Street, Walnut Street, and Park Street. They and the clientele of the Multi-Service Senior Center have the benefit of weekly visits by a nurse who is available for health maintenance conferences. During the past year, many first visits were made to new patients in the elderly housing projects, and even more patients received revisits by the nurse.

Other nursing and physical therapy services provided by the staff of the Visiting Nurse Service include occupational health for Town employees; glaucoma screening, heart screening; tuberculosis and other communicable disease control; poison center follow up; school health at St. Mary's School, Maimonides School, and the New England Hebrew Academy; and routine inspections of nursing homes and day care centers.

As a certified Home Health Agency, the Visiting Nurse Service provides professional bedside nursing care for patients in their own homes, under the direction of private physicians. A total of 10,931 visits for nursing care and physical therapy were made by Visiting Nurse staff in this past year.

#### CHILD HEALTH SERVICES

##### *Premature Infants*

A total of 23 prematures were born to Brookline residents during 1970. The Town paid no monies to hospital for the care of these infants born to families legally eligible for financial assistance. Medicaid, Blue Shield, Blue Cross, and other insurance policies paid for the expenses in 1970.

##### *Day Care Services*

A team of the Director of Child Health, a specially qualified Visiting Nurse Service nurse, and a specialist sanitarian annually visit each day care

service for licensing. Subsequently, they visit unannounced, usually individually, to ensure that the standards are being maintained.

The Summer program of Operation Head Start was omitted this year. The year-round program had 32 pupils at the Harvard Church. The Health Department provided routine health supervision for these children. The program was funded by the Federal Office of Economic Opportunity and voluntary contributions, and was sponsored by the Brookline Public Schools.

Young Israel closed its nursery school this year. Two new nursery schools were opened: the Parkway for 15 pupils, primarily for families of employees of the Boston Hospital for Women; and the Children's Center Nursery School for 30 pupils at 50 Stearns Road. In 1970 the licensing team also serviced for the first time the five Day Care Centers operated by the Brookline Recreation Department.

The 17 day care services of Brookline have places for 750 children.

### *Camp Program*

This year all health examinations for children going to charitably supported camps were completed by private physicians or physicians hired by the agencies sending the children to camp. The Health Department did not make any of these examinations.

## SCHOOL HEALTH SERVICES

### *Health Examinations*

There were 7062 public school and 1140 parochial school children in this program in 1970. Pupils in the 4th, 7th, and 10th grades and all new pupils of the Brookline Public and Parochial Schools are given health examinations. Examinations by the public school physicians totalled 1554 and the parochial schools 318. In addition 871 public school pupils and 104 parochial school pupils had these examinations by private physicians. Defects found by the school physicians numbered 131 in the public and 29 in the parochial school pupils. These were referred to their private physicians for follow-up. In both types of school, over 90% of the pupils referred received follow-up care.

### *Vision and Hearing Testing*

Of 8202 pupils enrolled in public and parochial schools, 7032 received vision tests and 6516 had hearing tests. The 593 who failed to pass the tests were referred to their private physicians for further study.

### *Tuberculin Testing*

Tine testing was done on new pupils and those in grades 2, 4, 6, 8, 10, and 12. One new positive reactor was found who was a converter. Chest x-ray and source-finding follow-up history were taken. The x-ray was negative and no source case was located. The pupil is receiving prophylactic chemotherapy from his private physician.

### *Triennials*

Both the School Health Service and the Occupational Health Clinic encourage all Town schools to make sure that all school personnel have either tuberculin tests or chest x-rays every three years to demonstrate freedom from communicable tuberculosis as required by law. During the tuberculin testing in the public and parochial schools, 35 members of the staff had tine tests, all of which were negative. All the rest of the staff had x-rays. All of these were also negative for communicable tuberculosis.

### *Sabin Polio Immunization*

There were 256 pupils in the public and parochial schools not adequately immunized to polio. Trivalent Sabin vaccine was given to 131 of these in the School Health Programs and 27 received the vaccine from their private physicians. In kindergarten 213 pupils (46%) accepted booster doses of trivalent Sabin vaccine as recommended by the U.S. Public Health Service. In the Brookline High School, 158 of the 12th grade pupils (32%) were given "graduation presents" of booster doses of trivalent Sabin vaccine.

### *Diphtheria-Tetanus Immunizations*

As recommended by the U.S. Public Health Service, boosters for diphtheria and tetanus are given pupils entering school for the first time and roughly ten years later. Between the entering and ninth grades, 510 pupils were given this immunization by school physicians and 162 received the booster from their private physicians during 1970.

### *Measles Prevention Program*

Following through on this program, started in 1968, 142 Brookline pupils who had not had measles or the vaccine, were given measles vaccine in 1970 by the school physicians. Private physicians administered the vaccine to 53 additional children.

### *Smallpox Revaccination Program*

Again pupils in the entering grade and Grade XI were urged to be revaccinated. Revaccination was performed on 396 pupils, mostly in Grade



XI, by the School Health Service and on 147 by private physicians, making a total of 543. Although 1371 were eligible to receive this booster, only 40% did. This low percentage indicates the importance of educating parents about the need for revaccination.

### *Mumps Immunization Program*

Brookline continued to limit its mumps program to pupils in grades 7, 8, 9 and above who have never had mumps or the vaccine. A total of 299 public and parochial school pupils were given mumps vaccine by the School Health Service. During the duration of this program, 29 additional pupils received the vaccine from their private physicians. There were no reported side reactions to the immunizations.

### *Rubella Immunization Program*

In 1970 the Massachusetts Department of Public Health extended the rubella vaccination program to all pupils through 12 years of age. A crash program was conducted for pupils in the entering grades and those in grades 5, 6, 7, 8 and 9 under 13 years of age. A second opportunity to receive the vaccine was also given to students now in grades 1, 2, 3, and 4 who had not accepted it last year. In the public and parochial schools 1343 pupils were immunized in this program and many more are known to have been immunized by their private physicians. Side reactions were reported in 2 cases, both mild.

### *Positive Tuberculin Reactor Roster*

The annual reminder was sent to all known positive reactors to come in for annual chest x-rays in 1970. No new active tuberculosis was discovered.

### OCCUPATIONAL HEALTH SERVICE

The purpose of the Occupational Health Service is to oversee the state of health of all town employees. When necessary, the clinic staff works in close cooperation with the employee's private physician and/or his Department Head. The health clinic is staffed by a physician who is a Board certified general surgeon with a background in occupational medicine, and by an occupational nurse/secretary. The Occupational Health Program provides the following:

1. Preemployment examination and evaluation of each new town employee to assess his current state of health and his physical capacity.
2. Annual periodic reevaluation on a volunteer basis to detect early evidence of ill health with referral of the employee to his personal physician for care and treatment of conditions not related to his employment.



3. Mandatory reevaluation of all town employees who return to work after 5 days or longer of absence for illness or injury and special periodic evaluations as requested by Department Heads.
4. Maintenance of accurate and complete records on each employee. These records are confidential.
5. First aid and continued treatment, where appropriate, of minor impairment incident to occupational injury.
6. Routine immunization and special immunizations for foreign travel.
7. Routine clinical and laboratory tests including the use of an electrocardiogram, an audiometer, Titmus visual testing apparatus and a recording vitalometer for lung function testing.
8. Certain x-ray services.
9. Health education and counselling on personal hygiene and health maintenance through individual interviews.

To conduct these functions, the Occupational Health Service works closely with the Town and School personnel offices, the Retirement Board, and the Liberty Mutual Insurance Company, giving individualized attention to health and paramedical problems. A Consultant in Psychiatry is available for appropriate situations.

In 1970 the revised health policy was accepted by the School Committee. Several new administrative procedures were initiated in order to implement the policy. It has expedited both the clinical and administrative procedures. The Park and Forestry Department adopted a health policy modeled closely on that of the School Department. It is hoped in the coming year that more town departments will adopt similar codifications.

The use of a physical therapist, loaned part-time by the Brookline Friendly Society, considerably shortened the return to work of several individuals and has proven to be very helpful.

Again in 1970 the utilization of the health clinic has increased as measured by the number of visits for various evaluations, treatments and advice. This greater utilization of the services of the physician and nurse has precluded any new programs or expansion of previous programs during 1970. A total of 3,322 visits were made to the occupational health clinic in 1970. Of these visits, 308 were for physical evaluations either preemployment or voluntary periodic, 1,272 were for follow-up, 304 were for immunizations and 56 involved minor surgical procedures. A total of 1,017 visits involved non-occupational health maintenance. Flu vaccines given totaled 86.

## LABORATORY TESTS TOTAL FOR 1970

Restaurant Utensils	2140
Water	1728
Blood Sugars	1005
Glucose Tolerance Tests	38
Cholesterols	989
Uric Acids	917
Urines — Total	959
Positive for Sugar	48
Positive for Albumin	8
Microscopic	8
Hematocrits	842
Hinton Bloods Taken	316
Gonococcus Smears Total	252
Positive	12
Hemoglobins	8
White Blood Count	12
Differential Count	7
State supplied materials to Brookline physicians:	
Vials of Biologicals dispensed	3743
Mailing outfits dispensed	6349

## X-RAYS

A total of 2,318 x-rays were taken during 1970. This included the films taken for the Occupational Health Clinic. The program identified 70 cases suspicious for tuberculosis, 19 cases of pneumonitis, 81 enlarged hearts, 43 possible tumors of the lung, and 447 less important findings. The reports of the x-ray findings were sent to the patients' physicians for follow-up.

## ENVIRONMENTAL HEALTH

1970 has been a year of great citizen concern regarding contamination of the environment. There has been an increasing demand that something be done about air pollution, water pollution, use of pesticides, and other environmental problems. There have been frequent inquiries about what the Health Department is doing about these problems.

Actually, there is little that a local health department, with its limitations of personnel, money and technical know-how, can do to make any

significant contribution to the solution of these problems, which are regional in scope and require regional action. The role of the small local health department such as Brookline's with jurisdiction over only six square miles of area, is as a supporting agency to the State or regional agency concerned with the particular threat to the environment. Thus the Department cooperates with the Metropolitan Air Pollution Control District on air pollution, the State Department of Natural Resources on water pollution, the State Pesticide Board on use of pesticides, and with any other agencies dealing with environmental problems.

In the meantime the Department has continued its environmental health programs dealing with food and food establishments, housing, lodging houses, hospitals and nursing homes, swimming pools, insect and rodent control, garbage and waste disposal, water supply and sewage disposal, day care for children, nuisances and other aspects of environmental health amenable to local jurisdiction and control. Inspections during 1970 totalled 17,157. Of these 6560 concerned food sanitation; 5311 housing; 4031 garbage and rubbish sanitation; 692 insect and rodent control; 64 water supply and sewerage; 38 child care centers; 311 swimming pool sanitation; and 150 general sanitation and nuisances.

Membership in the East Middlesex Mosquito Control District (since 1948) continues to prove the greater effectiveness and lower financial cost of joint action against a common problem. This district now includes sixteen cities and towns. Of concern this past year was a mosquito-borne outbreak of equine encephalitis in southeastern Massachusetts which threatened to spread into this area. With control being made difficult by increased public objection to use of pesticides such threats will become more serious.

The food establishment inspection program will be extended in 1971 to include the increasing number of retail establishments selling food items as a sideline. No major outbreaks of food-borne disease were reported in Brookline during 1970. The Division cooperated in checking the removal of contaminated or otherwise banned foods from Brookline establishments. Close contact with State and Federal food control agencies is maintained when such problems develop.

Licenses and permits issued by the Health Department in 1970 were as follows: 34 permits for removal and transportation of garbage, rubbish, grease and bones; 106 licenses to establishments authorizing the sale of milk; 10 licenses to milk plants; 27 oleo registrations; 27 licenses to practice massage; 3 licenses to operate a massage establishment; 19 licenses to funeral directors; 6 permits for keeping fowl and animals; 8 licenses to operate Day Care Centers; 2 permits to construct private sewage disposal systems; 385 burial permits; and 71 retail food establishments certificates.

### *Veterinary Public Health*

A record number of dogs (775) were immunized against rabies at the annual Health Department rabies clinics in May. Such immunization is now required by law at least once every two years.

The total number of animal bites reported was 101. Of these, 96 were dog bites; 4, cat bites; and 1, monkey bite. All of the 96 dogs were quarantined, and released as negative for rabies.

Made inspections of four premises for keeping of nine animals.

### *Dental Services*

The Dental Clinic is in its 54th year of providing high quality comprehensive dental care for Brookline children from low income families. The clinic is staffed by graduate dentists from the Pediatric Dentistry Department of Boston University School of Graduate Dentistry, working under the supervision of pedodontic specialists from the faculty of the Boston University School of Graduate Dentistry.

Supervised field instruction in patient education and preventive treatment is provided for senior dental hygiene students from the Forsyth School of Dental Hygiene. Students from Boston University School of Dental Assistants and Beth Israel School of Dental Assisting also receive supervised field training in the dental clinic.

Dental programs initiated in previous years were continued in 1970. Among these are the unique interceptive orthodontic program in which future orthodontic problems are prevented by early detection and treatment, the treatment of the exceptional child, the hospitalization of those children who cannot be treated on an outpatient basis, and a system by which patients with special needs are referred to a consulting specialist at the Boston University School of Graduate Dentistry.

A series of "Luncheons for Learning" was held for local dentists at the Town Hall. The speakers were faculty members of the Boston University School of Graduate Dentistry. The luncheons were well attended and received.

The second year was completed of the dental health education program for children from Kindergarten through grade four in the Brookline Public Schools. Senior dental hygiene students under the supervision of a dental health educator give classroom demonstrations of proper oral hygiene, in addition to providing educational information on dental care. Both the classroom teachers and the children received the program enthusiastically.



The dental health education program at the high school is in its second year. Graduate dentists from Boston University present two hours of dental health education to each Freshmen health class with an emphasis on the prevention of dental disease.

A new school dental screening program was begun this year. All school children through the eighth grade, with the permission of their parents, will have an oral inspection by the school dentist. The results of the inspection are mailed to the parents. A follow-up program, which will encourage parents to seek or continue with dental care for their children, is included in the total program.

Seminars in Community Dentistry for students from Tufts, Harvard and Boston University dental schools were conducted at the health department throughout the year.

### *Health Education*

In a local health department with a staff of the calibre of that in Brookline, health education is done by all the staff members, not by just the person designated as the Health Educator. As the public health nurses, sanitarians, physicians, x-ray and laboratory technicians, custodians, dentists and dental hygienists, secretaries, switch board operator and even volunteers work with the rest of the community, they are constantly doing health education. Since they are with the people at what educators call "The Teachable Moment", the time when action is most likely to be taken, this health education is the most effective kind. It also reaches many more people than one person could possibly do.

It is encouraging to a health educator to observe the positive attitude toward health that the members of the staff have. As one goes with a sanitarian on his inspections, works with a nurse in a clinic, serves on a committee with a physician, or hears the way that telephone calls are answered, one senses that the staff of the Department are interested and concerned that they are doing an effective job. It is the Health Educator's task to provide the staff members with the necessary tools and information.

Specific functions of the Health Educator have included: Health Bulletin — editing four issues, including one for 1969. The mailing list has been up-dated in cooperation with the School Department and the Selectmen's office. The Brookline office of the Post Office did much of the actual work, and has arranged the list in routes by sequence to expedite deliveries. This list is used by other departments. The list is now being kept up-to-date by checking all building permits for alterations, demolitions, or construction.

News releases — frequent releases have been sent to the local paper, with copies to the metropolitan dailies of stories of special significance.

Pamphlets — Up-to-date supply is maintained to meet the needs of residents.

Students — Many of the health care programs in the several institutions of higher learning in the Boston area request visits to the Health Center. They average a group a week.

In addition, the Health Educator serves on the Drug Education Committee of the School Department and is serving as chairman of its Subcommittee on Education of Parents. Also serves on Council of Aging Advisory Committee and chairs its Committee on Volunteer Visiting Program.

#### WEIGHTS & MEASURES

During 1970 the Department inspected a total of 1297 weighing and measuring devices of which 1227 were sealed, 100 adjusted, 14 not sealed, and 56 condemned. Of these devices, 465 scales and 91 gasoline meters were re-inspected. 108 oil deliveries and certificates were inspected. A total of 4822 items were checked for correct labeling, weight, measure or count. Of these, 3206 were found correct, 343 were found short, and 1273 were over. A total of \$1501.20 in sealing fees was collected.

Of the items checked by the inspectors, about twenty four hundred or 50 percent were meat items. The reason for this large percentage is the shrinkage to which meats are particularly subject. The amount of shrinkage depends upon the method and material used in packaging, the care taken in the sealing of the package, the length of time it is left in the case, and the temperature of the case itself. Thus, an item which was weighed and priced correctly may be shortweighed and overpriced when it reaches the consumer.

Because of the trend to prepackaging of food products, there are fewer scales in the Town. This makes it possible and necessary for the inspectors to devote more time to checking the weight of packages.

# Natural Resources and Recreation

## TREE PLANTING COMMITTEE

G. PEABODY GARDNER, *Chairman*

HAMILTON COOLIDGE

DR. JAMES M. FAULKNER

This report is a combined one of the Tree Planting Committee and the Moth Superintendent.

The most pressing problem for the Forestry Department is the disposal of heavy wood from the removal of diseased or dead roadside trees.

Branches and limbs up to four (4) inches in diameter can be chipped in the chipping machine and the chips are used as mulch in both the Forestry and Park Departments.

Limbs of trees over four (4) inches in diameter and under twenty (20) inches in diameter may be dumped at the Town incinerator area for disposal in the Town's wood hog.

The principal problem is the disposal of any tree wood over twenty inches in diameter.

The Town does not have any area available for the disposal of tree trunks or butts of trees over twenty (20) inches in diameter either by a land-fill operation or for a storage area.

Presently there are 215 trunks of trees that have been removed of all their branches and limbs, standing on the roadside of the various streets throughout the Town.

There are three alternatives as follows:

- 1) Make available an area for a land-fill operation to bury all trunks of trees.
- 2) Appropriate sufficient funds to have all trunks of trees removed out of the Town of Brookline. Estimated cost for 1970 only \$20,000.
- 3) Purchase of a Vermeer "Log Chipper" at a cost of \$23,000.

The Tree Planting Committee appreciates the fact that alternative number one is not possible; also that the continual procedure of having all tree trunks removed from Brookline is too costly. Therefore, the Committee recommended that the Town purchase a Vermeer log chipping machine, thus enabling the Forestry to remove and dispose of the entire diseased or dead trees.

All residue chips from both the chipping machine and the log chipper can be used as mulch for all Departments.

*Confirmed Dutch Elm diseased trees*

Street trees .....	80
Parks and public grounds .....	16
Private property .....	38
TOTAL .....	<u>134</u>

*Elm not confirmed but dead or beetle infested*

Street trees .....	90
Parks and public grounds .....	18
Private property .....	25
TOTAL .....	<u>133</u>

*Trees removed or topped to the point of a 22" diameter Town trees:*

American Elm .....	115	Plane Tree .....	8
Sugar Maple .....	165	Flowering trees .....	4
Norway Maple .....	25	English Elm .....	4
Oak .....	10	Other species .....	21
TOTAL .....			<u>352</u>

In addition a total of 117 diseased or beetle infested Elms that were confirmed in 1969 were removed this year.

By the Forestry Department .... 43      By Contract .... 74  
Trees planted by the Forestry Department on various streets:

*Forestry Department Budget*

Norway Maple (Schwedler) .....	65
Linden (Greenspire) .....	50
Flowering Cherry .....	50
Red Oak .....	50
Norway Maple .....	25
Red Maple (Armstrong) .....	25



Norway Maple (Summer Shade) .....	20
Flowering Crab .....	20
Elm (Buisman) .....	20
Ginkgo .....	12

*Code Enforcement Budget*

Norway Maple .....	25
Sugar Maple .....	20
Norway Maple (Schwedler) .....	12
Ginkgo .....	22
Norway Maple (Summer Shade) .....	20
Pin Oak .....	20
Scholarartree .....	5

*Park Department*

Specimen Crab .....	5
Specimen Cherry .....	5
Specimen Oak .....	1
Total trees planted .....	<u>472</u>

All trees planted this year were balled and burlapped plants with caliper from 2"-4".

In addition, 50 8"-10" Red Maple trees were planted by the golf course crew along the fairways. Seventy small trees that arrived too late to be planted in our tree nursery are "heeled" in and will be lined out in the spring.

*Spraying Program*

The dormant spray program, using Methoxychlor as the spray material was performed as usual the past year. This dormant spray is primarily for the control of the Elm Bark Beetle, the carrier of the Dutch Elm disease and is part of the overall sanitation control program.

The foliage spray program, using the product SEVIN was abruptly halted due to the great concern of a number of citizens and the Conservation Commission after a published report of the Audubon Society as to its possible hazards not only to bird life but to possible danger to *human life* as reported by the Federal Bureau of Health, Education and Welfare after experiments.

The foliage spray program was completely stopped, not only for Town owned trees but also the spraying of trees on private property, pending further information and reports on spray chemicals.

At a later meeting, the Tree Planting Committee voted to abandon entirely the program offered to property owners.

It is planned to reevaluate our entire spray program with particular emphasis on the chemical products used prior to the 1971 spray season.

### *Rotation Pruning Program for 1970*

Not as much was accomplished as we would have liked. We hope to improve in our volume next year, however, and feel this is possible because of the discontinuance of the spraying of private properties.

The following streets were completed this year:

Glenoe Road	Russett Road (Grassmere to line)
Penniman Road	Reservoir Road (Route 9 to Crafts)
Taylor Crossway	Willard Road
Hammond Street	Bonad Road
Griggs Terrace	Woodcliff Road
Clinton Road	

Some 400 Flowering Crab and Cherry trees that are pruned each year were also attended to.

In addition to this trimming, the Boston Edison Company has had a crew clearing the wires. Their crew has been working on the Town trees since March. The Forestry Department has had an inspector with them continually to insure proper trimming in accordance with our specifications. This inspector is made available at the expense of the Boston Edison Company.

Our disposal problem has improved somewhat. The wood hog seems to be a proven asset, and to date, the dumping of wood chips is no problem. The lack of means for the disposal of wood over 20" in diameter still remains with us, however, and hampers our removal program. It also seriously obstructs our efforts to control the spread of Dutch Elm disease by not allowing the good sanitation program that we have had in the past.

The following methods of disposal were used this year:

689 tons of wood to the wood hog  
341.9 tons of wood to the Dedham Dump

15.7 tons of wood cut for free fire wood	
14.0 tons delivered to sawmill, cut for lumber	
154.1 tons of wood chips stock-piled	
89.9 tons of mixed chips and debris to the incinerator	
<u>1,304.6</u> tons — total amount of tree wood, brush and debris disposed of — 1970.	

At the present time there are 127 butts of trees that have been topped, standing on the tree lawns. Within the next two months an additional 50 trees will be topped by the Boston Edison Company and 38 more will be topped by the Forestry Department. These butts are all over 20" in diameter and cannot be removed until a means of disposal is made available. The breakdown of these butts is as follows:

Diseased or infested Elms .....	133
Various species of Maple .....	67
Other species of trees .....	15
Total butts .....	<u>215</u>

Note: From the previous experience of weighing all wood disposed of, the total weight of this wood is estimated at 200 tons.

## PARK AND RECREATION COMMISSION

MRS. MORTON WALDSTEIN, *Chairman*  
 MICHAEL STEIN, *Vice Chairman*  
 WILLIAM J. DOHERTY  
 JAMES F. POWERS  
 CANTOR MICHAL HAMMERMAN  
 JOHN MURPHY  
 DANIEL FORD

Mr. John Murphy was appointed on May 18, 1970, to fill the vacancy occasioned by the death of Dr. Thomas P. Kendrick. Mr. Daniel Ford was appointed on July 27, 1970, to fill the vacancy occasioned by the resignation of Mr. F. Gregg Bemis, who has moved out of town.

### PARK DIVISION

In order to assure the passage of a work shop — storage area at Anderson Park, the Commission requested only the following article for the Town Meeting.

1. A request of \$88,000.00 for the construction of a work shop — storage area at Anderson Park.

The article of the storage building was passed by Town Meeting, and public bids were sent out by the Building Commission in November. Unfortunately the low bid in the amount of \$99,467.00 exceeded our appropriation, therefore, all bids were cancelled by the Building Commission.

The Superintendent of Parks and the Building Commission will review the specifications with the belief that certain changes and/or omissions can be made in the specifications to warrant a rebidding.

A redesign of St. Mark's Triangle was completed during the year making available new granolithic walks, allowing for sixteen additional benches. Also, the former sand box area was changed to a rose garden, providing the aesthetic beauty for this heavily used passive recreation area.

The specification for the field house at Amory Playground was reviewed by the Building Commission and was rebid, resulting in the low bid for the complete construction within our \$25,000.00 appropriation. The contracts have been completed and work will commence when weather permits.

New educational play equipment was installed at the Heath School grounds, much to the delight of both children and staff.

New evergreens and flowering shrubs were planted at Horace James Circle, replacing a number of older and damaged shrubs.

The tennis courts at Baker School were resurfaced at a cost of \$15,000.00 with the "Grasstex" formula, one of the finest permanent surfaces available for tennis courts.

Anderson Park again was our prime area for all types of recreation programs during all seasons of the year. This winter season with sufficient snow for winter sports activities shows how much this area is used. The entire park was crowded weekends and the all-important period of the year, the school vacation.

The 1970-71 Brookline School vacation period, December 23, 1970-January 3, 1971 allowed almost maximum usage and patronage of the facilities at Anderson Park Skating Rink and the adjacent sledding area. The Skating Rink operated with three public skating sessions daily and where weather permitted the activity on the slope was sufficient to staff the area for three periods morning afternoon and evening until 10:00 P.M.



The Skating Rink attendance figures for this period are as follows:

Friday, December 25 .....	Christmas Day	(Closed)	
Saturday, December 26 .....	393		
Sunday, December 27 .....	1235		
Monday, December 28 .....	521		
Tuesday, December 29 .....	768		
Wednesday, December 30 .....	756		
Thursday, December 31 .....	311	(Closed New Year's Eve)	
Friday, January 1 .....	53	(Snow)	
Saturday, January 2 .....	823		
Sunday, January 3 .....	1179		
			6039

Hockey Program attendance and Hockey Rentals for the period December 23, 1970 — January 3, 1971: .....	844
Total .....	6883

The abundance of snow and good winter days and evenings provided excellent conditions for sledding and tobogganing.

The use of night lights and the addition of the rope tow provided attraction in this area.

The cooperation of the Recreation Department in running a shuttle bus to and from the Skating Rink during specified periods enabled many children to take advantage of our facilities that otherwise might not have.

The attendance on the sledding area was as follows:

Wednesday, December 23 .....	300	
Thursday, December 24 .....	Snow	
Friday, December 25 .....	Christmas Day	(Closed)
Saturday, December 26 .....	470	
Sunday, December 27 .....	695	
Monday, December 28 .....	550	
Tuesday, December 29 .....	390	
Wednesday, December 30 .....	400	
Thursday, December 31 .....	150	(Closed New Year's Eve)
Friday, January 1 .....	Snow Storm	
Saturday, January 2 .....	785	
Sunday, January 3 .....	870	
Total .....	4610	

In addition, the following playgrounds were available for Ice Skating for as much as five days during the school vacation period:

Eliot Playground .....	Two areas
Robinson Playground .....	Two areas
Soule-Baldwin .....	One area
Lawrence .....	One area
Devotion Playground .....	Two areas
Coolidge Playground .....	One area
Cypress Playground .....	Two areas
Driscoll Playground .....	One area
"Little Tech" — Brookline Field .....	One area
Brookline Avenue .....	One area
Beacon Playground .....	One area
Clark Playground .....	One area

In most areas the ice was "good to excellent"; Eliot, Soule, Robinson, Devotion, and Cypress were supervised during the weekend of January 1 through Jan 3, 1971.

Skating Rink .....	6,883
Slope .....	4,610
Total .....	<u>11,493</u>

The golf course enjoyed its most successful year since its construction in 1932. The report that follows will show that the receipts were at an all-time high and, from the comments of our many players, the condition of the course was the finest. This can be partially attributed to a new fertilization program but most of the credit should go to our congenial Golf Course Greenskeeper, James Grady and his excellent staff.

#### 1970 PUTTERHAM MEADOWS GOLF COURSE REPORT

Rounds Played	Resident	Non-Resident	Twilight Play	TOTAL
Transient .....	6,943	3,073	2,251	12,267
Membership .....	29,260	5,243		34,503
	Grand Total Play.....			<u>46,770</u>

#### Cash Receipts

Transient Tickets .....	\$20,322.25	\$13,408.00	\$3,376.50	\$ 37,106.75
Season Lockers: 343 @ \$15.00 .....				5,145.00
13 @ 25.00 .....				325.00
44 @ 30.00 .....				1,320.00
10 @ 5.00 .....				50.00
9 @ 10.00 .....				90.00
Towels .....				182.00
Commission on Golf Car Rentals .....				4,098.00
				<u>\$ 48,316.75</u>

#### Season Permits — Residents — Senior Members:

5 day .....	106 @ \$ 75.00	\$ 7,950.00
7 day .....	290 @ 125.00	36,250.00

Junior Members .....	18 @	\$ 35.00	\$ 630.00	
Junior Members Special .....	30 @	50.00	1,500.00	
Town Employee Members:				
5 day .....	39 @	40.00	1,560.00	
7 day .....	18 @	75.00	1,350.00	
Senior Citizens:				
5 day .....	34 @	40.00	1,360.00	
7 day .....	66 @	75.00	4,950.00	
				\$ 55,550.00

## Season Permits — Non-Resident — Senior Members:

5 day .....	16 @	\$200.00	\$ 3,200.00	
7 day .....	66 @	250.00	16,500.00	
Junior Members .....	1 @	75.00	75.00	

19,775.00

## Tournaments:

Oakes Memorial .....	\$ 319.00	
Men's Member — Guest Day .....	120.00	
"1200" Beacon Street .....	62.50	
Novak's .....	90.00	
Ladies' Member — Guest Day .....	41.00	
State Schoolboy .....	150.00	
State Schoolboy Finals .....	165.00	
U. S. S. Intrepid .....	82.50	
State Schoolboy Qualifying .....	168.00	
Caddy Badges .....	150 @ \$.25	37.50

1,235.50

TOTAL GOLF RECEIPTS .....	\$ 124,877.25
Concession Contract .....	1,000.00
GRAND TOTAL RECEIPTS .....	\$ 125,877.25

## ANDERSON PARK SKATING RINK REPORT — 1970

## Cash Ticket Sales

Morning and Afternoon Sessions			
Skaters	14,207	\$6,054.20	
Evening Sessions			
Skaters	6,361	4,124.25	\$10,178.45

## Season Family Memberships

Residents	— 400 @ \$10.00	\$4,000.00	
Nonresidents	— 109 @ 20.00	2,180.00	\$ 6,180.00

## Rental Accounts — Cash

Hours	Rate per hour		
5.5	\$25.00	\$ 137.50	
1	10.00	10.00	\$ 147.50

## Rental Accounts — Season

Brookline High School Hockey Programs			
131 hours @ \$25.00 per hour	\$3,275.00		
Dexter School	300.00		\$ 3,575.00

Coin Locker Receipts	
1,092 @ \$.10	\$ 109.20
Concessions:	\$ 582.60

Attendance Figures		
Ticket Attendance		
Ticket Sales	20,168	
Members	23,414	
Hockey	<u>14,219</u>	
Total Attendance		<u>57,801</u>
Total Receipts		<u>\$20,772.75</u>

Rental of Rink to Recreation Department for Hockey Programs  
and Recreational Skating  
4 months — 1970      294 @ \$25.00      \$7,350.00

## Notes:

1. B. H. S. Winter Carnival  
3 hours @ \$25.00      75.00  
No fee by vote of Park and Recreation Commission
2. Special Session — Saturday mornings  
Changed by Vote of Park and Recreation Commission  
to (free) children session effective 11/22/70

## 1970 TENNIS PERMITS

146 Resident Season Permits @ \$5.00 .....	\$ 730.00
8 Nonresident Season Permits @ \$15.00 .....	120.00
2,043 Resident Cash Daily Play Tickets @ \$.50 .....	<u>\$1,021.50</u>
<u>2,197</u> TOTAL .....	<u>\$1,871.50</u>

## FISHING PERMITS

381 Resident Children Permits @ \$.25 .....	\$ 95.25
165 Resident Adults @ \$1.00 .....	165.00
3 Nonresident Children @ \$2.00 .....	6.00
17 Nonresident Adults @ \$5.00 .....	85.00
33 Complimentary Permits (over 70) — No fee .....	0.00
<u>599</u> TOTAL .....	<u>\$351.25</u>

## ANDERSON PARK PICNIC PERMITS

Number of Permits issued .....	965
Number of people using picnic area under permits .....	13,710
TOTAL RECEIPTS .....	\$978.25



## RECREATION DIVISION

The past year was one marked by the restlessness and confusion of youth and young adults. This was due in part to the many problems with which our nation has been plagued in recent times.

While the recreation program in Brookline is beamed towards people of all ages, of both sexes, special attention has been directed toward our young people, with the hope that wholesome recreation will provide an outlet to relieve some of the tensions which they are currently experiencing.

Programs for teenagers have been very popular and well attended and it is hoped will have a desirable effect upon their future conduct.

It is an established fact that preventive programs are much more beneficial and less costly than corrective programs. The latter sometimes coming too late.

The Golden Age Club with its increasing membership continues to be one of the Department's most popular programs, providing the leisure hours of these older citizens with enjoyable, stimulating, and healthful recreation.

Listed below is a summary of other activities conducted during the year 1970:

\* \* \* \* \*

Twenty-eight (28) recreational areas were supervised for a ten week summer season from 35 to 60 hours each week; ten (10) areas were supervised during the spring season from four (4) to six (6) weeks from 15 to 35 hours each week.

Sixteen (16) indoor facilities were supervised during the fall, winter and spring seasons: eight (8) on a full-time basis and eight on part-time.

The Commission continued to sponsor three (3) Day Camps for an eight week period during the summer at the Baldwin Play Area on Heath Street, Soule playground for the children in the Brook Street area and Eliot playground for children in other sections of town. All three Day Camps continue to provide needed services for children from 5 thru 14.

The number of outings to various recreation areas for teenagers was increased from 2 to 3 because of the tremendous interest shown by the youth.

Four youngsters from the Baldwin Day Camp were chosen to take part in the Special Olympic Games in Chicago. The group not only had an opportunity to compete with the youth in their age group and ability, but were given expert instruction in track, basketball, swimming and floor hockey.

Membership on the Golden Age Club continues to increase at a rapid pace and is now over 1200.

\* \* \* \* \*

### LEAGUE CHAMPIONS

Men's Softball — Hetniks

Men's Softpitch — Hammond

Baseball — Kiwanis

Men's Senior Basketball — Hetniks

Intermediate Basketball — St. Mary's C.Y.O.

Men's Senior Hockey — Anderson Skate Shop

Boys' Intermediate — Station Flower Shop

Boys' Bantam Hockey — Blackhawks

Boys' Pee Wee Hockey — Bruins

Boys' Squirt League — Yellow Jackets

The Brookline Park and Recreation Commission conducted three (3) swimming meets this year, including their 12th National N.E.A.A.U. Age Group Championships, which drew swimmers from all over New England. They also conducted a swimming meet in conjunction with the Knights of Columbus, Brookline Council #110 and held the District Boy Scout Swimming Meet at the Brookline Pool.

The Park and Recreation Swimming Team held their annual banquet in May at the Eliot Recreation Center. Sweat pants and shirts were presented to all boys and girls age 13 and under and jackets were presented to boys and girls age 14 and over. Trophies were presented to the outstanding swimmers.

Robert Burns received the Dr. Thomas P. Kendrick Trophy, which was given in memory of the former member of the Park and Recreation Commission.

## RECEIPT FIGURES 1970

Morning Play Service Charge .....	\$ 5,897.00
Swimming Pool Fees .....	16,691.80
Sale of Bathing Caps .....	636.00
Rental of Centers .....	15.00
Subsidy from the State for milk used by Morning Play Groups .....	451.56
Subsidy for Retarded Program .....	9,896.54
Tennis Fees — Soule Center .....	771.05
New Physical Education — Recreation Facility .....	10,356.45
Day Camp .....	3,195.00
<b>TOTAL .....</b>	<b>47,910.40</b>

## SWIMMING POOL ATTENDANCE 1970

Total Swimming Pool Attendance .....	135,748
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RECREATION CENTER ATTENDANCE  
FALL, WINTER & SPRING — 1970

Brookline Avenue Recreation Center .....	23,875
Eliot Recreation Center .....	35,115
Soule Recreation Center .....	22,750
Baker Evening Recreation .....	1,075
Devotion Evening Recreation .....	2,620
Heath Evening Recreation .....	2,490
Lawrence Evening Recreation .....	2,105
Driscoll Evening Recreation .....	970
	<hr/>
	91,000

## MAIN RECREATION FACILITY — 70 TAPPAN ST. .... 145,620

Golden Age .....	74,450
High Rise (Walnut St. Apts.) .....	2,250
Col. Eugene P. Floyd Recreation Room .....	8,940
Egmont Recreation Room .....	4,100
	<hr/>
	235,360

## SUMMER PLAYGROUND ATTENDANCE — 1970

Amory .....	4,965
Anderson Park .....	58,200
Baker .....	2,140
Beacon .....	15,780
Boylston .....	3,180
Brook .....	4,205
Brookline Avenue .....	13,890
Clark .....	8,905
Coolidge .....	12,590
Corey Hill .....	4,955
Cypress .....	5,560
Devotion .....	7,480
Downes Field .....	9,050
Driscoll .....	5,180

Eliot (Including Day Camp) .....	27,440
Emerson .....	12,301
Griggs .....	2,900
Kent .....	4,245
Longwood .....	6,320
Lawton .....	4,380
Pierce .....	6,205
Robinson .....	6,740
Schick .....	3,550
Soule (Including Brook Day Camp) .....	8,350
Walnut St. Apts. ....	3,485
Winthrop Square .....	5,405
Sewall .....	4,665
Co-Op Apts. ....	4,460
	<hr/>
	255,016

## SPRING PLAYGROUND ATTENDANCE — 1970

Anderson Park .....	5,750
Beacon .....	7,900
Brookline Avenue .....	8,050
Coolidge .....	4,110
Eliot .....	21,600
Emerson .....	5,480
Pierce .....	3,750
Robinson .....	6,545
Soule .....	6,350
Winthrop Square .....	5,650
	<hr/>
	75,185

## ATTENDANCE — OTHER ACTIVITIES

Men's Twilight Leagues .....	28,350
July 4th .....	1,050
Town Tennis Tournament .....	5,175
Recreational Ice Skating .....	9,250
Hockey .....	19,280
Christmas Parties .....	2,905
Attendance for Handicapped Program .....	5,705
Golden Age Special Events .....	64,305
	<hr/>
	136,020

## APPROPRIATIONS — 1970

Personal Services .....	\$420,212.00
Contractual Services .....	95,300.00
Supplies and Materials .....	36,383.00
Other Charges .....	1,320.00
Capital Expenditures .....	366.00
	<hr/>
	\$553,581.00



## CONSERVATION COMMISSION

FRANCIS X. MEANEY, *Chairman*

HENRY T. WIGGIN, *Secretary*

MRS. CHARLES T. COWEN

MRS. GEORGE H. LYMAN, JR.

ROBERT KRAMER

EDWARD T. PETERS

S. RUSSELL SYLVA

The Conservation Commission was concerned with many matters during 1970. As usual, there was continuing pressure on the public open space of the Town for other uses. A proposal to divert two acres of Larz Anderson Park to expansion of the Antique Auto Museum won a narrow preliminary approval at Town Meeting over the objections of conservationists. A suggestion to take public park land, approximately 12 acres in Putterham Woods next to the golf course, for a town garage was resisted strongly by the Conservation Commission and the Park and Recreation Commission.

The Committee on Land Use, Robert Kramer, Chairman, spent a great deal of time reviewing the deterioration of the public landscape of the Town as most evidenced by its street trees. Formal and informal meetings were held with the Tree Planting Committee in an effort to derive goals and guidelines for not only arresting the decline in the public green aspects of the Town but for restoring street landscaping to the quality of fifty years ago. To this end the Land Use Committee submitted a detailed proposal to the Selectmen calling for a systematic approach to urban landscape renewal with broad scale volunteer participation by citizens.

The Pollution Control Committee, Edward T. Peters and Mrs. Eva Powers, Co-Chairmen, was involved in the effort to persuade the Selectmen and the School Committee to switch to low sulphur content fuel oil in the Town's public buildings. In addition, information was distributed widely throughout the Town on the dangers of household and garden pesticides and the problems of phosphate detergents. Arranging for the collection of wastepaper for recycling claimed the attention of the Committee during the latter part of 1970 along with a study of the street tree die-off apparently caused by chlorides put down to melt snow.

The Sanctuary Committee, Henry T. Wiggin, Chairman, carried forward a vigorous program to make the D. Blakeley Hoar Natural Area (behind the Baker School) more attractive to wildlife and more useful to citizens. Mr. Robert Hebb, assistant horticulturist at the Arnold Arboretum,

was engaged as a consultant to advise on plantings, trail layout and sanctuary operation. Two cleanup days were held, the first trail was cut through the sanctuary and a planting day for trees and shrubs especially agreeable to birdlife was held in late fall. A sanctuary open house in the fall featured a well-attended, guided nature walk. In the spring the Conservation Commission sponsored a birdwalk on Audubon Saturday led by Hamilton Coolidge and F. X. Meaney.

The first edition of the Ecology Newsletter was published in 1970. Directed to the problems facing Brookline the newsletter focuses on what citizens can do to make their contribution to a better environment.

The curriculum of the public schools relating to ecological matters was the subject of continuing study by the Curriculum Committee, Mrs. Charles T. Cowen, Chairman. A written report should be available for distribution early in 1971. Mrs. George T. Lyman, Chairman of the Legislation Committee, kept the Commission advised of developments at the General Court affecting the environment.

Completed late in 1970 was the Open Space Report for Brookline. The report catalogues the most important public open space within the Town and suggests various active and passive recreational uses for the several areas highlighted. It articulates the firm policy that public open space is a valuable and irreplaceable asset to be protected for its own sake as an essential of a civilized community.

The numbers of people working with the Conservation Commission continued to grow. Among the Associate Members are Miss Sherry Albre, William E. Austin, Stephen P. Berghaus, Miss Claire Berman, Miss Shelley Bernard, Burton Boxenhorn, Mrs. Helen P. Daniels, Bernard E. Edelstein, Jonathan Fine, Richard Fine, William R. Firth, Miss Edith Geronimus, Henry H. Hammond, Robert Jacobson, Mrs. Martin A. Linsky, Mrs. Gretchen Mamis, Miss Sherry Margolin, Tym Nason, J. Rosson Overcash, Mrs. Bertram R. Paley, Mrs. Eva Powers, Mrs. Ethel Sadowsky, Marc M. Sadowsky, Mrs. Charles L. Swan, Mrs. Morton Waldstein, Mrs. Edward P. Richardson and Miss Sharon Weinstein. Associate membership is open to all concerned with the environment and what can be done in Brookline.

# Veterans' Services

## DEPARTMENT OF VETERANS' SERVICES

JOHN T. CONNOR, *Director*

The Department of Veterans' Services is organized under Chapter 115 of the General Laws of Massachusetts as amended. Throughout the Commonwealth every city and town is required to have such an office to administer benefits to the veteran, his family and dependent parents. The law and regulations strictly control eligibility for assistance. In every case fifty per cent of all funds expended is returned to the Town by the State.

Chapter 493 of the Acts of 1954 makes it mandatory that an Assignment be taken in all cases of Workmen's Compensation and accident cases where litigation is pending. From such cases all funds are returned to the Town.

Expenditures did increase during the year — a larger case load, due to unemployment and the number of returning Viet Nam veterans, higher medical costs, particularly nursing home care. Rates are set by the State Rate Setting Board which also allows retroactive dates for rates set. The State Veterans' Agents Association has sought relief from this procedure by filing legislation to curtail such practice.

A major function of the Department is the filing of applications for Compensation, Pension, Out-patient Care, Hospitalization, Insurance, and forms relating to all benefits.

The Veterans Administration hospitals are used in every possible instance for the veteran, and if admitted to a private hospital it is our duty to have the patient transferred to a Veterans' facility, when permission is given by his physician.

Chelsea Soldiers Hospital maintains an excellent Out-patient Clinic, also has many beds for In-patients, and throughout the year veterans are referred there.

Brookline has always paid fitting respect to the men and women of all wars. For the first time in many years we had rain on Memorial Day 1970. However, it did not dampen the spirit of those who turned out to honor the

memory of our departed comrades. Members of the Board of Selectmen and General Court, followed by the Brookline High School Band, joined a contingent of Marines and a large number of Police and Fire Department personnel, and members of the five veterans' organizations and their auxiliaries. The exercises were conducted at the Civil War Monument, Soldiers Monument, and the three Brookline cemeteries.

The Brookline Allied Veterans Council met throughout the year on such matters as Veterans' Quarters, Employment and Housing.

Monthly meetings with the Brookline Housing Executive Director and representatives of the Public Welfare Department and Visiting Nurse Association, to discuss problems of mutual concern, have been attended by the Director and his assistant.



# Finance

## BOARD OF ASSESSORS

JAMES H. HENDERSON, *Chairman*

FRANCIS E. RYAN

ARYEH R. FRIEDMAN

The Board consisted of James H. Henderson, Francis E. Ryan and Aryeh R. Friedman. Mr. Henderson was elected chairman.

The Board appointed Robert A. Merritt, 67 Griggs Rd., Brookline, as the Assistant Assessor on October 5, 1971. The appointment was to fill the vacancy created by the retirement of Mr. Arthur Clasby, the former Assistant Assessor.

The net amount to be raised by direct taxation in 1970 was \$26,216,-172.10, which was \$4,668,142.80 higher than in 1969. The tax rate was set at \$59.00 per thousand.

The following figures give a comparative detail of the tax structure on valuations, expenditures and receipts.

### COMPARATIVE VALUATIONS

	1969	1970	Increase	Decrease
Land	\$130,537,600	\$131,208,100	\$ 670,500	
Buildings	289,206,900	293,303,100	4,096,200	
Total Real Estate	419,744,500	424,511,200	4,766,700	
Personal	20,011,200	19,830,700		\$180,500
Total Value	439,755,700	444,341,900	4,586,200	
Excise thru 12/31	28,310,430	30,170,765	1,860,335	

### COMPARATIVE AMOUNTS TO BE APPROPRIATED

Appropriations	\$ 24,010,683.64	\$ 27,230,106.88	\$3,219,423.24	
From Available Funds	198,618.88	643,464.56	444,845.68	
Court Judgments	2,355.55			\$ 2,355.55
Overlay Deficits	63,778.55	576,607.62	512,829.07	
State Audit Municipal				
Accounts		2,609.27	2,609.27	
State Exam Retirement				
System	783.90	6,317.80	5,533.90	
Met Parks	400,319.36	478,777.28	78,457.92	
Met Sewer	257,832.54	283,944.03	26,111.49	
Met Water	312,758.40	328,559.88	15,801.48	

Boston Met District Expenses	\$ 918.21	\$ 979.42	\$ 61.21	
MBTA Deficit	1,066,785.74	1,103,433.00	36,647.26	
Elderly Health Ins.	9,720.33	11,383.05	1,662.72	
Excise Bills	4,203.45	3,971.55		\$ 231.90
	1969	1970	Increase	Decrease
Air Pollution Control	4,300.36	4,604.95	304.59	
Area Planning Council	2,243.62	2,627.02	383.40	
Underestimates	3,332.47	13,776.74	10,444.27	
County Tax	924,000.68	1,012,799.18	88,798.50	
Overlay	350,000.00	350,000.00		
Direct Expenditure	59,996.71	118,181.10	58,184.39	
	<u>\$ 27,672,632.39</u>	<u>\$ 32,172,143.33</u>	<u>\$ 4,502,098.39</u>	<u>\$ 2,587.45</u>
Net Increase		\$ 4,499,510.94		

## COMPARATIVE RECEIPTS AND AVAILABLE FUNDS

	1969	1970	Increase	Decrease
Available Funds	\$ 198,618.88	\$ 643,464.56	\$ 444,845.68	
Available Funds to reduce rate		300,000.00	300,000.00	
Overestimates	10,871.97	46,104.29	35,232.32	
Estimated receipts	<u>5,915,112.24</u>	<u>4,966,402.38</u>		<u>948,709.86</u>
	<u>\$ 6,124,603.09</u>	<u>\$ 5,955,971.23</u>	<u>\$ 780,078.00</u>	<u>\$ 948,709.86</u>
Net Decrease		168,631.86		
Amounts to be borrowed	\$ 1,185,000.00	\$ 6,264,000.00		
Net Increase		5,079,000.00		
Net Amount to be raised	\$ 21,548,029.30	\$ 26,216,172.10		
Net Increase		4,668,142.80		

## TREASURER AND COLLECTOR

NEIL NEVERGELT

## FUNDED DEBT

At the Special Town Meeting, September 18, 1968 it was

VOTED: To authorize the Board of Selectmen to execute and deliver, on behalf of the Town, a Grant Agreement with the U.S.A. through its Department of Housing and Urban Development for a grant under the Water and Sewer Facilities Grant Program providing for a grant of Federal funds to aid in financing the separation of sanitary and storm sewers by the construction of new sanitary sewers or sewer systems, and to take such measures, and to execute, or authorize the execution of, all documents that the Selectmen may deem necessary or advisable to effect and carry out said Grant Agreement, and to execute any amendment thereto or modifications thereof, and to appropriate the sum of one million eight hundred twenty-eight thousand dollars (\$1,828,000), to be expended by the Board of Selectmen, to aid in financing the separation of sanitary and storm sewers by the construction of new sanitary sewers or sewer systems.

VOTED: That the treasurer be authorized, when so directed by the Board of Selectmen, with the approval of the Emergency Finance Board, to borrow at one time or from time to time the sum of one million seven hundred eighty-eight thousand dollars (\$1,788,000) of the amount appropriated in the preceding vote to aid in financing the separation of sanitary and storm sewers by the construction of new sanitary sewers or sewer systems, by the issue and sale at one time or from time to time of bonds or notes therefor, payable in accordance with Chapter 44, Section 7, Clause 1 of the General Laws, as amended, each issue of said bonds and notes to be payable in not more than thirty (30) years from its date; and that the balance of forty thousand dollars (\$40,000) be appropriated from Surplus Revenue.

At the Annual Town Meeting, March 25, 1969 it was

VOTED: To appropriate the sum of two hundred sixty thousand dollars (\$260,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen, for laying and relaying water mains of not less than six (6) inches but less than sixteen (16) inches in diameter, and to meet said appropriation the Treasurer with the approval of the Selectmen is authorized and directed to borrow said sum by issuing and selling at one time or from time to time bonds or notes of the Town under and pursuant to the provisions of Chapter 44, Section 8, Clause 5 of the General Laws, as amended, each issue of said bonds or notes to be payable in not more than fifteen years from its date.

At the Annual Town Meeting, March 24, 1970 it was

VOTED: To appropriate the sum of two hundred sixty thousand dollars (\$260,000) to be expended by the Commissioner of Public Works with the approval of the Board of Selectmen for laying and relaying water mains of not less than six (6) inches but less than sixteen (16) inches in diameter, and to meet said appropriation the Treasurer with the approval of the Selectmen is authorized and directed to borrow said sum by issuing and selling at one time or from time to time bonds or notes of the Town under and pursuant to the provisions of Chapter 44, Section 8, Clause 5 of the General Laws, as amended, each issue of said bonds or notes to be payable in not more than fifteen years from its date.

At the Annual Town Meeting, March 25, 1969 it was

VOTED: To authorize the Selectmen to purchase or take by eminent domain under Chapter 79 of the General Laws, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School, certain parcels of land, located adjacent to the Pierce School, designated in the 1968 Assessors' Atlas of the Town of Brookline as Lots 1, 2, 3, 12, 13, 14, 15 and 16 in Block 173.

VOTED: That the Treasurer be authorized, when so directed by the Selectmen, to borrow the sum of two hundred seventy thousand dollars (\$270,000) of the amount appropriated by the preceding vote for the purchase or taking by eminent domain under Chapter 79 of the General Laws for the purpose of the public schools certain parcels of land as described in the first vote appearing under this article, and to issue bonds or notes therefor, payable in accordance with the provisions of Chapter 44 of the General Laws as amended so that the whole loan shall be paid in not more than ten years from the date of the issuance of the first bond or note; and the amount of fourteen thousand dollars (\$14,000) to be raised in the 1969 tax levy.

At the Annual Town Meeting, March 24, 1970 it was

VOTED: To raise and appropriate the sum of seventy-nine thousand dollars (\$79,000) to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages or other costs and expenses in connection therewith, and approved under the aforementioned Twenty-second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School; of which appropriation a sum not exceeding \$16,000 may be expended for necessary relocation costs and moving expenses as provided in G.L., C. 79, section 6A.



VOTED: That the Treasurer be authorized, when so directed by the Selectmen, to borrow the sum of sixty thousand dollars (\$60,000) of the amount appropriated by the preceding vote to supplement the appropriation made under the Twenty-second Article in the Warrant for the 1969 Annual Town Meeting and to be expended for the same purpose, namely, the purchase or taking by eminent domain under Chapter 79 of the General Laws by the Board of Selectmen of certain parcels of land, located adjacent to the Pierce School, to pay for the same or to pay for land damages or other costs and expenses in connection therewith, and approved under the aforementioned Twenty-second Article, for the purpose of the public schools, to provide for an expanded Pierce School site for the construction of a new Pierce School and to issue bonds or notes therefor, payable in accordance with the provisions of Chapter 44 of the General Laws as amended so that the whole loan shall be paid in not more than ten years from the date of the issuance of the first bond or note; and the amount of nineteen thousand dollars (\$19,000) to be raised in the 1970 tax levy. None of the funds borrowed hereunder shall be expended for relocation costs or moving expenses pursuant to G.L., C. 79, s. 6A.

Under the preceding votes, there was borrowed July 1, 1970 two million six hundred thirty-five thousand dollars (\$2,635,000) from The First National Bank of Boston on their bid of 100.01 and accrued interest for 5.90% bonds. Designated and payable as follows:

- \$1,785,000 SEWER BONDS (Nos. 70S-1 to 70S-357) payable \$120,000 on July 1 in each year 1971 to 1982 inclusive and \$115,000 on July 1 in each year 1983 to 1985 inclusive.
- 3,000 SEWER BONDS (Note payable to the New England Merchants National Bank payable July 1, 1971.)
- \$ 520,000 WATER BONDS (Nos. 70W-1 to 70W-104) payable \$40,000 on July 1 in each year 1971 to 1976 inclusive and \$35,000 on July 1 in each year 1977 to 1984 inclusive.
- \$ 330,000 SCHOOL LAND ACQUISITION BONDS (Nos. SLAP-1 to SLAP-66) payable \$40,000 on July 1 in each year 1971 to 1973 inclusive and \$35,000 on July 1 in each year 1974 to 1979 inclusive.

At the Annual Town Meeting, March 25, 1969 it was

VOTED: To authorize the Selectmen to purchase or take by eminent domain under Chapter 79 of the General Laws, for the purpose of the public schools, as the site of a new Lincoln School of kindergarten through grade eight, inclusive, certain parcels of land on Kennard and Hedge Roads, Brookline, commonly referred to as the Park School site, and to raise and appropriate the sum of four hundred thousand dollars (\$400,000) to acquire the parcels within said designated site, to pay for the same, or to pay for land damages or other costs and expenses in connection therewith; provided that no purchase or taking shall be made pursuant to this vote until a site plan sufficient to satisfy the requirements of the State Department of Education, Division of School Facilities and Related Services has been approved by said State agency.

VOTED: That the Treasurer be authorized, when so directed by the Selectmen, to borrow the sum of three hundred eighty-five thousand dollars (\$385,000) of the amount appropriated by the preceding vote for the purchase or taking by eminent domain under Chapter 79 of the General Laws for the purpose of the public schools certain parcels of land as described in the first vote appearing under this article, and to issue bonds or notes therefor, payable in accordance with the provisions of Chapter 44 of the General Laws as amended so that the whole loan shall be paid in not more than ten years from the date of the issuance of the first bond or note; and the amount of fifteen thousand dollars (\$15,000) to be raised in the 1969 tax levy.

Under this vote a temporary borrowing of the full amount \$385,000 was made in anticipation of bond issue.

At the Special Town Meeting, June 16, 1970 it was

VOTED: To appropriate the sum of five million two hundred sixty four thousand dollars (\$5,264,000) for the construction and original equipping and furnishing of the new Pierce School, to be located on the expanded Pierce School site, such part of said appropriation as relates to construction to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee and such part as relates to the original equipping and furnishing to be expended by the School Committee with the approval of the Selectmen; and to further appropriate the sum of thirty thousand dollars (\$30,000) for remodeling, reconstructing or making of extraordinary repairs to that portion of the present Pierce School not scheduled to be demolished to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee; and to further appropriate the sum of seven hundred three thousand dollars (\$703,000) for the construction of an underground municipal parking facility in connection with the construction of such new school to be expended by the Building Commission with the approval of the Board of Selectmen and of the School Committee.

VOTED: To meet said appropriation for the construction and original equipping and furnishing of the new Pierce School, the Treasurer be authorized when so directed by the Board of Selectmen to borrow the amount of five million two hundred sixty-four thousand dollars (\$5,264,000) under authority of Chapter 645, Acts of 1948, as amended, and to issue bonds or notes therefor to be paid in not more than fifteen years from the date thereof; and to meet said appropriation of thirty thousand dollars (\$30,000) for remodeling, reconstructing or making of extraordinary repairs for that portion of the present Pierce School not scheduled to be demolished, the sum of thirty thousand dollars (\$30,000) to be raised and appropriated in the tax levy of the current year; and to meet said appropriation of seven hundred three thousand dollars (\$703,000) for the construc-

tion of an underground municipal parking facility, the sum of twenty three thousand dollars (\$23,000) to be raised and appropriated in the tax levy of the current year, and the treasurer be authorized, when so directed by the Board of Selectmen to borrow the sum of six hundred eighty thousand dollars (\$680,000) under authority of Chapter 44, section 7, clause 3 of the General Laws and to issue bonds or notes therefor, each of such bonds or notes to be paid in not more than fifteen years thereof.

Under this vote a temporary borrowing of \$125,000 was made in anticipation of bond issue (for the construction of the Pierce School).

At the Annual Town Meeting, March 25, 1969 it was

VOTED: Pursuant to the provisions of 26CC and 26DD of the Housing Authority Law contained in Chapter 121 of the General Laws (Ter. Ed.) as most recently amended, to raise and appropriate the sum of Two Hundred Seventy-Four Thousand and Fifty-Seven Dollars (\$274,057) for the purpose of defraying such part of the development, acquisition and operating costs of the Marsh Urban Renewal Project of the Town of Brookline, Massachusetts as will not be met by loans, contributions or grants from the Federal government or otherwise.

VOTED: That the Treasurer be authorized, when so directed by the Selectmen, and with the approval of the Emergency Finance Board, to borrow the sum of two hundred seventy thousand dollars (\$270,000) of the amount appropriated by the preceding vote for the purpose of defraying such part of the development, acquisition and operating costs of the Marsh Redevelopment Project in the Town of Brookline, Massachusetts, as will not be met by loans, contributions or grants from the Federal Government, or otherwise. Bonds or notes shall be issued therefor, signed by the Treasurer and countersigned by a majority, at least, of the Selectmen and certified by a National Bank or Trust Company designated by the Selectmen. Such bonds or notes shall bear interest payable semi-annually, and shall be made payable in such annual payments beginning not later than one year after the date thereof as will extinguish the same within fifteen years from their date. The balance of the amount appropriated by the preceding vote; i.e., the sum of four thousand fifty-seven dollars (\$4,057) to be raised in the 1969 tax levy.

No action has been taken under this vote.

LIMIT OF INDEBTEDNESS

Equalized Valuation .....	\$450,000,000
Debt Limit — 5% .....	22,500,000
Amount of outstanding debt which is outside the debt limit .....	3,020,000
Net debt subject to the debt limit .....	5,678,000
Remaining borrowing capacity under 5% debt limit .....	16,822,000







# 1970 TEMPORARY BORROWINGS IN ANTICIPATION OF REVENUE

BANK	DATE OF ISSUE	MATURITY DATE	RATE	AMOUNT
Norfolk County Trust Co.	3/23/70	11/9/70	4.09	\$ 500,000.00
South Shore National Bank	3/23/70	11/9/70	4.08	500,000.00
South Shore National Bank	3/23/70	11/9/70	4.14	500,000.00
New England Merchants National Bank	4/13/70	11/9/70	4.01	500,000.00
The First National Bank of Boston	4/13/70	11/9/70	4.06	500,000.00
Norfolk County Trust Co.	4/13/70	11/9/70	4.07	250,000.00
Boston Safe Deposit & Trust Co.	4/13/70	11/9/70	4.07	250,000.00
South Shore National Bank	5/11/70	11/9/70	4.18	500,000.00
South Shore National Bank	5/11/70	11/9/70	4.28	500,000.00
Norfolk County Trust Co.	5/11/70	11/9/70	4.27	500,000.00
Norfolk County Trust Co.	6/ 1/70	11/9/70	4.87	250,000.00
Norfolk County Trust Co.	6/ 1/70	11/9/70	4.97	250,000.00
State Street Bank & Trust Co.	6/ 1/70	11/9/70	4.97	500,000.00
The First National Bank of Boston	6/ 1/70	11/9/70	5.01	500,000.00
Boston Safe Deposit & Trust Co.	7/13/70	11/9/70	5.39	1,000,000.00
Capitol Bank & Trust Co.	9/28/70	11/9/70	3.29	250,000.00
New England Merchants National Bank	9/28/70	11/9/70	3.30	1,000,000.00
The First National Bank of Boston	9/28/70	11/9/70	3.35	250,000.00
				<u>\$8,500,000.00</u>

South Shore National Bank \$2,000,000.00  
 Norfolk County Trust Co. 1,750,000.00  
 New England Merchants National Bank 1,500,000.00  
 First National Bank of Boston 1,250,000.00  
 Boston Safe Deposit & Trust Co. 1,250,000.00  
 State Street Bank & Trust Co. 500,000.00  
 Capitol Bank & Trust Co. 250,000.00  
\$8,500,000.00

# COMPTROLLER'S REPORT

## FOR THE YEAR ENDING DECEMBER 31, 1970

FRANK E. MAURITZ

Brookline, Mass., February 16, 1971

*To the Honorable Board of Selectmen*

Gentlemen: — In compliance with the provisions of General Laws, Chapter 41, Section 61, I herewith submit to you the seventieth annual report for the Comptroller's Department.

I have examined the accounts of the Town Treasurer and Collector for the fiscal year ending December 31, 1970, and have verified the cash balance. An analysis of his accounts as Collector is shown in the accompanying Schedule A, "Summary of Collector's Accounts."

His accounts as Treasurer of the various Trust Funds of the Town have been examined and the securities and savings accounts have been checked and found to be in accordance with the accompanying Schedule I. This examination included the securities and savings accounts of the Brookline Retirement System as set forth in Schedule N, "Brookline Retirement System."

Details of financial transactions of the Town are set forth in the accompanying schedules:

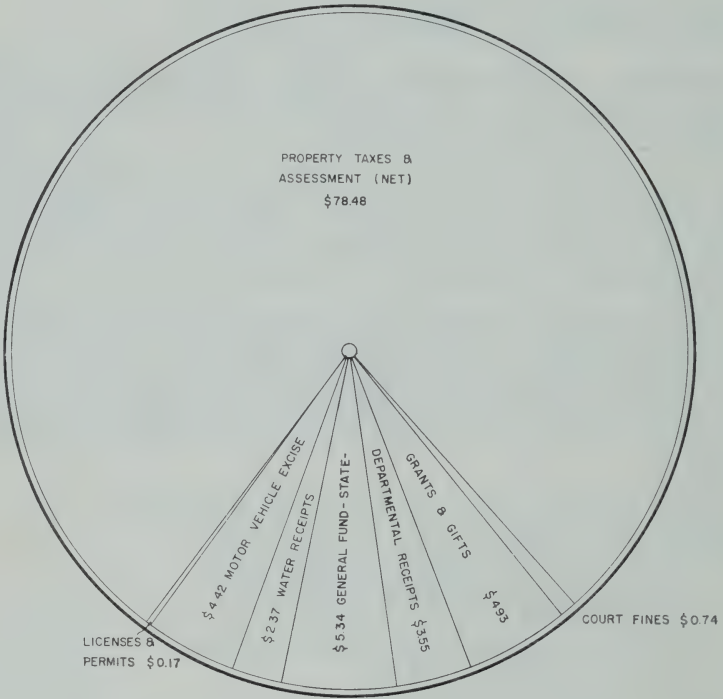
- A — Summary of Collectors' Accounts.
- B — Balance Sheet.
- C — Special Assessments Revenue Not Yet Due.
- D — Statement of Funded Debt.
- E — Changes in Town Debt.
- F — Statements of Appropriations and Expenditures.
- G — Schedule of Receipts.
- H — Analysis — Contingent Account.
- I — Trust Funds — Transactions.
- J — Schedule of Tax Levies and Tax Collections, (1969-1970)
- K — Schedule of Bonded Debt and Assessed Valuations, (1969-1970).
- L — Valuations, Tax Rates, Expenditures, Debt and Per Capitas — 1940-1970
- M — Assessed Valuation of Town Property.
- N — Brookline Retirement System.

Respectfully submitted,  
FRANK E. MAURITZ,  
Comptroller.

BROOKLINE, MASS., 1970

TOTAL RECEIPTS \$32,597,685.18

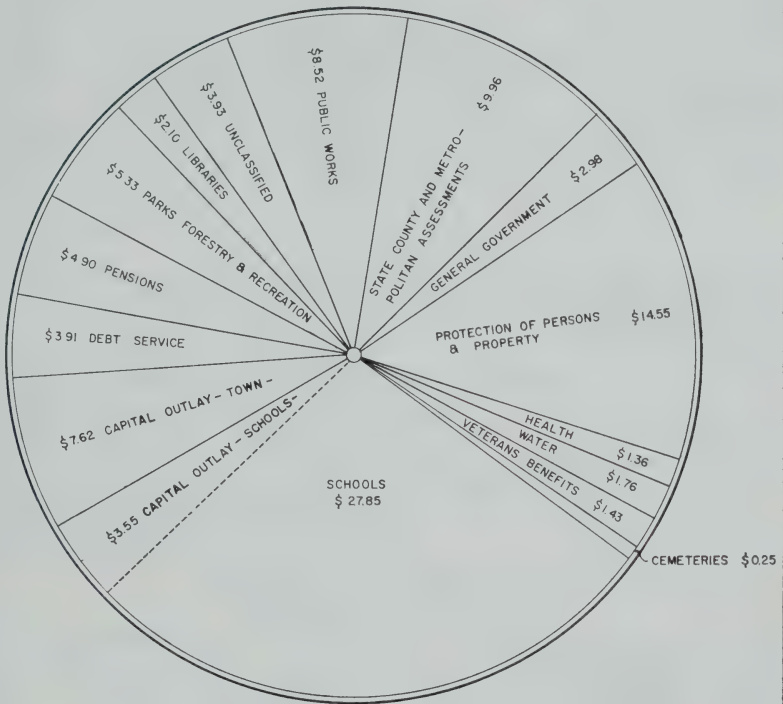
HOW EACH \$100 WAS RECEIVED



FRANK E. MAURITZ  
COMPTROLLER

BROOKLINE, MASS., 1970  
TOTAL EXPENDITURES \$31,750,909.06

HOW EACH \$100 WAS EXPENDED



TAX RATE	\$59.00
ASSESSED VALUATION	\$ 444,341,900.00
FUNDED DEBT	\$8,698,000.00
LOANS AUTHORIZED	\$6,599,000.00
POPULATION	58,886

FRANK E. MAURITZ  
COMPTROLLER



## SCHEDULE A

## SUMMARY OF COLLECTOR'S ACCOUNTS

## Tax Levy of 1970

	Real Estate	Personal Property	Total
Commitment	\$25,046,160.80	\$1,170,011.30	\$26,216,172.10
Refunds	71,825.86	1,873.45	73,699.31
	<u>\$25,117,986.66</u>	<u>\$1,171,884.75</u>	<u>\$26,289,871.41</u>
Collections	23,653,999.14	1,128,150.31	24,782,149.45
Abatements	225,598.24	6,145.84	231,744.08
Outstanding December 31, 1970	1,238,389.28	37,588.60	1,275,977.88
	<u>\$25,117,986.66</u>	<u>\$1,171,884.75</u>	<u>\$26,289,871.41</u>

## Tax Levy of 1969

Outstanding January 1, 1970	\$ 1,192,816.70	\$ 29,043.20	\$ 1,221,859.90
Water liens reported as			
Real Estate Taxes	85.00		85.00
Refunds	206,825.89	940.80	207,766.69
	<u>\$ 1,399,727.59</u>	<u>\$ 29,984.00</u>	<u>\$ 1,429,711.59</u>
Collections	1,099,062.57	22,248.00	1,121,310.57
Abatements	271,913.82	2,396.10	274,309.92
Transferred to Tax Titles	15,910.30		15,910.30
Outstanding December 31, 1970	12,840.90	5,339.90	18,180.80
	<u>\$ 1,399,727.59</u>	<u>\$ 29,984.00</u>	<u>\$ 1,429,711.59</u>

## Tax Levy of 1968

Outstanding January 1, 1970	\$ 8,090.02	\$ 4,893.65	\$ 12,983.67
Water liens 1968, reported as			
Real Estate Taxes	1,671.50		1,671.50
Refunds	74,237.18	124.50	74,361.68
	<u>\$ 83,998.70</u>	<u>\$ 5,018.15</u>	<u>\$ 89,016.85</u>
Collections	5,457.85	1,174.86	6,632.71
Abatements	74,802.40	124.50	74,926.90
Transferred to Tax Titles	3,448.15		3,448.15
Outstanding December 31, 1970	290.30	3,718.79	4,009.09
	<u>\$ 83,998.70</u>	<u>\$ 5,018.15</u>	<u>\$ 89,016.85</u>

## Tax Levies — 1964-1967

Outstanding January 1, 1970		\$ 1,996.00	\$ 1,996.00
Refunds	\$ 2,577.50		2,577.50
	<u>\$ 2,577.50</u>	<u>\$ 1,996.00</u>	<u>\$ 4,573.50</u>
Abatements	\$ 2,577.50	\$ 1,996.00	\$ 4,573.50

**Motor Vehicle and Trailer Excise**

	Levies of				Total
	1970	1969	1968	1967	
Outstanding					
January 1, 1970		\$145,948.98	\$25,190.71	\$571.40	\$ 171,711.09
Commitments	\$1,631,066.92	123,102.17			1,754,169.09
Refunds	13,360.93	13,012.87	138.60		26,512.40
Refunds adjusted				161.15	161.15
Interest reported					
as excise				2.73	2.73
	<u>\$1,644,427.85</u>	<u>\$282,064.02</u>	<u>\$25,329.31</u>	<u>\$735.28</u>	<u>\$1,952,556.46</u>
Collections	1,276,886.51	188,634.43	2,329.72		1,467,850.66
Abatements	121,340.31	60,519.95	25.03		181,885.29
Excise reported as					
interest		2.54			2.54
Adjustments of refunds			161.15		161.15
Excise collections credited					
to suspense account				735.28	735.28
Outstanding					
Dec. 31, 1970	246,201.03	32,907.10	22,813.41		301,921.54
	<u>\$1,644,427.85</u>	<u>\$282,064.02</u>	<u>\$25,329.31</u>	<u>\$735.28</u>	<u>\$1,952,556.46</u>

**Apportioned Street Betterment Assessments**

	Levy of			Total
	1970	1969	1968	
Outstanding January 1, 1970		431.52	27.75	459.27
Commitment	5,072.60			5,072.60
Committed interest reported				
as Street Betterment			20.89	20.89
	<u>\$ 5,072.60</u>	<u>\$ 431.52</u>	<u>\$ 48.64</u>	<u>\$ 5,552.76</u>
Collections	4,708.79	324.83		5,033.62
Street Betterments transferred				
to Tax Titles			48.64	48.64
Outstanding December 31, 1970	363.81	106.69		470.50
	<u>\$ 5,072.60</u>	<u>\$ 431.52</u>	<u>\$ 48.64</u>	<u>\$ 5,552.76</u>

**Apportioned Street Betterment — Committed Interest**

	Levy of			Total
	1970	1969	1968	
Outstanding January 1, 1970		\$ 232.81	\$ 52.02	\$ 284.83
Commitment	\$ 2,718.26			2,718.26
	<u>\$ 2,718.26</u>	<u>\$ 232.81</u>	<u>\$ 52.02</u>	<u>\$ 3,003.09</u>
Collections	2,540.62	168.80		2,709.42
Committed interest reported				
as Street Betterments			20.89	20.89
Transferred to Tax Titles			31.13	31.13
Outstanding December 31, 1970	177.64	64.01		241.65
	<u>\$ 2,718.26</u>	<u>\$ 232.81</u>	<u>\$ 52.02</u>	<u>\$ 3,003.09</u>

**Apportioned Water Mains**

	1970	Levy of 1969	1968	Total
Outstanding January 1, 1970		\$ 134.47	\$ 19.44	\$ 153.91
Commitment	\$ 319.66			319.66
Water Liens 1969 reported as apportioned				
Water Mains 1969		106.25		106.52
	<u>\$ 319.66</u>	<u>\$ 240.72</u>	<u>\$ 19.44</u>	<u>\$ 579.82</u>
Collections	300.22	221.28		521.50
Transferred to Tax Titles			19.44	19.44
Outstanding December 31, 1970	19.44	19.44		38.88
	<u>\$ 319.66</u>	<u>\$ 240.72</u>	<u>\$ 19.44</u>	<u>\$ 579.82</u>

**Apportioned Water Mains — Committed Interest**

	1970	Levy of 1969	1968	Total
Outstanding January 1, 1970		\$ 10.85	\$ 4.67	\$ 15.52
Commitment	\$ 46.66			46.66
	<u>46.66</u>	<u>10.85</u>	<u>4.67</u>	<u>62.18</u>
Collection	43.55	6.96		50.51
Transferred to Tax Titles			4.67	4.67
Outstanding December 31, 1970	3.11	3.89		7.00
	<u>\$ 46.66</u>	<u>\$ 10.85</u>	<u>\$ 4.67</u>	<u>\$ 62.18</u>

**Unapportioned Sewer Charges**

Commitments	\$ 581.49
Collections	581.49

**Apportioned Street Betterments — Not Due  
Paid in Advance**

Commitment	\$ 664.69
Collection	664.69

**Water Liens — Added to Taxes**

	1970	Previous Years	Total
Outstanding January 1, 1970		7,908.42	7,908.42
Commitment	53,015.93		53,015.93
Refunds	1,333.00	286.50	1,619.50
Tax Title redemption adjusted		65.00	65.00
	<u>54,348.93</u>	<u>8,259.92</u>	<u>62,608.85</u>
Collections	50,274.68	5,799.67	56,074.35
Water Liens reported as Water Rates	125.25		125.25
Collections reported in error		2,265.50	2,265.50
Water Liens 1969 reported as Apportioned Water Mains 1969		106.25	106.25
Outstanding December 31, 1970	3,949.00	88.50	4,037.50
	<u>\$ 54,348.93</u>	<u>\$ 8,259.92</u>	<u>\$ 62,608.85</u>

**SCHEDULE A (Cont.)  
DEPARTMENTAL ACCOUNTS RECEIVABLE**

Department	Outstanding January 1, 1970	Commitments	Adj. Dr.	Refunds	Collections	Abatements	Liens	Cr. Adj.	Outstanding Dec. 31, 1970
Board of Selectmen .....	\$ 1,325.00	\$ 11,460.00			\$ 11,620.00	\$ 50.00			\$ 1,115.00
Board of Assessors .....		2,157.52			2,157.52				
Comptroller .....		299.80			299.80				
Police .....	2,693.14	5,914.62			6,972.62				1,635.14
Police Private Details .....		130,069.21		\$ 20.00	104,405.21	78.50			25,605.50
Public Works:									
Highway Division:									
Service Charges .....	40.25	19,662.56			19,334.56	50.25			318.00
Chapter 90:									
State Aid to Highways ..	76,855.07				38,529.00			\$37,406.67	919.40
County Aid to									
Highways .....	34,123.63			1,011.95	16,478.53			18,197.35	459.70
Water Division:									
Rates .....	131,097.25	796,639.50	\$634.25	125.10	696,091.62	2,508.68	\$52,574.25		177,321.55
Charges .....	5,380.68	23,225.33			22,686.34	993.30	441.68	163.30	4,321.39
Health .....		36.17			36.17				
Welfare:									
Medical Assistance									
for the Aged .....		1,632.75			1,632.75				
Old Age Assistance .....	189.49				189.49				
Veterans' Benefits .....		151,196.77			151,196.77				
School:									
Tuition .....	25,661.16	57,251.84		1,217.01	66,245.24	9,582.84			8,301.93
Rental of Town Property	560.26	1,162.69			1,024.78	82.47		170.21	445.49
Park and Recreation .....	2,049.28	9,418.45			4,949.45	5,101.88			1,416.40
Forestry — Moth Spraying ..	753.74	3,691.94			3,793.19	198.33			454.16
Forestry — Other .....	646.08	3,073.48			3,321.98	87.58			310.00
Sewer Damages .....	1,134.08				138.00				996.08
	\$282,509.11	\$1,216,892.63	\$634.25	\$2,374.06	\$1,151,103.02	\$18,733.83	\$53,015.93	\$55,937.53	\$223,619.74



## SCHEDULE B — BALANCE SHEET

## GENERAL ACCOUNTS

DECEMBER 31, 1970

## ASSETS

**Cash:****General:**

Revenue .....	\$4,492,874.28
Non-Revenue .....	332,501.18

**Special:**

Code Enforcement-Escrow .....	93,217.96
Code Enforcement .....	53,170.95
Sewer Facilities .....	670,241.57

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\$5,642,005.94**Accounts Receivable:****Taxes:**

## Levy of 1968:

Personal Property .....	3,718.79
Real Estate .....	290.30

## Levy of 1969:

Personal Property .....	5,339.90
Real Estate .....	12,840.90

## Levy of 1970:

Personal Property .....	37,588.60
Real Estate .....	1,238,389.28

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1,298,167.77**Special Real Estate Taxes — 1968:**

Chapter 143, Section 9, G.L. ....	23,490.36
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**Motor Vehicle and Trailer Excise:**

Levy of 1968 .....	22,813.41
Levy of 1969 .....	32,907.10
Levy of 1970 .....	246,201.03

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301,921.54**Special Assessments:**

Street Betterments 1969 .....	106.69
Street Betterments 1970 .....	363.81
Water Mains 1969 .....	19.44
Water Mains 1970 .....	19.44

## Committed Interest:

Street Betterments 1969 .....	64.01
Street Betterments 1970 .....	177.64
Water Mains 1969 .....	3.89
Water Mains 1970 .....	3.11

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758.03**Tax Titles and Possessions:**

Tax Titles .....	25,202.65
Tax Possessions .....	10,025.99

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35,228.64**Departmental:**

Selectmen .....	1,115.00
Police .....	1,635.14

## ASSETS (Cont.)

Police Private Details .....	\$ 25,605.50	
Public Works .....	318.00	
Public Works Sewer Damages .....	996.08	
School Tuition and Rent .....	8,301.93	
School Agency .....	445.49	
Park .....	1,416.40	
Forestry .....	310.00	
Moth Spraying .....	454.16	
	<hr/>	\$ 40,597.70
<b>Water:</b>		
Liens 1969 .....	88.50	
Liens 1970 .....	3,949.00	
Rates .....	177,321.55	
Charges .....	4,321.39	
	<hr/>	185,680.44
<b>Aid to Highways — Chapter 90:</b>		
State .....	919.40	
County .....	459.70	
	<hr/>	1,379.10
<b>Due from Commonwealth:</b>		
Chapter 616 — Acts of 1967 .....		2,958.48
<b>Underestimates 1970:</b>		
State:		
Metropolitan Area Planning .....		1,321.43
<b>Overlay Deficits:</b>		
Levy of 1967 .....	1,996.00	
Levy of 1968 .....	996.00	
Levy of 1969 .....	12,600.00	
	<hr/>	15,592.00
<b>Loans Authorized:</b>		
Land — Lincoln School .....	385,000.00	
Marsh Redevelopment .....	270,000.00	
Pierce School Construction .....	5,264,000.00	
Underground Municipal Parking .....	680,000.00	
	<hr/>	6,599,000.00
		<hr/>
		\$14,148,101.43
		<hr/> <hr/>

## DEBT ACCOUNTS

## Net Funded or Fixed Debt:

Inside Debt Limit:	
General .....	\$5,678,000.00
Outside Debt Limit:	
General .....	2,300,000.00
Public Utilities .....	720,000.00
	<hr/>
	\$ 8,698,000.00
	<hr/> <hr/>

## DEFERRED REVENUE ACCOUNTS

**Apportioned Revenue — Not Due:**

Betterments .....	\$ 61,406.74
Water .....	847.22
	<hr/>
	\$ 62,253.96

## SUSPENDED REVENUE ACCOUNTS

**Suspended Assessments:**

Betterments .....	\$ 956.80
Water Mains .....	2,561.13
	<hr/>
	\$ 3,517.93

## TRUST AND INVESTMENT ACCOUNTS

**Trust and Investment Funds:**

In Custody of Town Treasurer .....	\$ 612,617.17
	<hr/>
	\$ 612,617.17

## LIABILITIES AND RESERVES

**Temporary Loan:**

In anticipation of Bond Issues:

Land Acquisition — New Lincoln School .....	\$ 385,000.00
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**Guarantee Deposits:**

Public Works Department:

Engineering Plans .....	\$ 300.00
Signs .....	1,468.06
Sale of Town Owned Land .....	1,040.00
Tax Possessions .....	540.00
License Fees, 1971 .....	46,406.00
Adult Education — Books .....	1,232.90
	<hr/>
	\$ 50,986.96

**Agency:**

County — Dog Licenses .....	87.00
Forestry — Tree Planting .....	51.50
Employees Group Insurance Fund .....	14,351.00
Recovery School Lunch Settlement .....	17,100.00
Reserve for Accounts Payable — Town .....	313,782.76
Reserve for Accounts Payable — School .....	146,513.39
Reserve for Teachers' Salaries .....	326,351.32
School — Custodial Fees .....	27.72
	<hr/>
	\$ 818,264.69

**Recoveries:**

Old Age Assistance .....	2,214.30
Disability Assistance .....	4,313.55
Medical Assistance .....	2,330.73
General Relief .....	892.83
	<hr/>
	\$ 9,751.41

## LIABILITIES AND RESERVES (Cont.)

**Tailings — Unclaimed Checks** ..... \$ 5,846.26

**Trust Fund Income:**

Sumner E. Shikes — School .....	\$ 65.00	
Katherine B. Shick — School .....	231.64	
Arthur W. Murray .....	567.95	
Cemetery Perpetual Care .....	2,534.26	
	<hr/>	3,398.85

**Trust Funds:**

D. Blakely Hoar Bird Sanctuary .....	8,958.91	
Cemetery Perpetual Care .....	315.00	
	<hr/>	9,273.91

**Grants and Gifts:**

## Federal:

Code Enforcement Program .....	53,170.95
Code Enforcement Escrow .....	93,217.96
Sewer Facilities Program .....	670,241.57

## School:

Aid to Education P.L. 874 .....	54,001.51
National Defense Education Act. P.L. 864 .....	19,450.10
Operation Head Start .....	870.95
Elementary and Secondary Education Act — Title I .....	37.09
Vocational Education Food Services — Child Care .....	27,545.04
Performing Arts — Title III .....	37,412.60
Metco Program P.L. 89-10 .....	80,934.63
Vocational Education (Odwin) .....	305.96
Metco Research Program .....	10,203.50
School Library — Title II .....	2,887.41
Multi-Service Senior Center for the Aged .....	399.66

**State:**

## School:

Academically Talented Pupils Chapter 651 — Acts of 1964 .....	2,458.32
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**Private Gifts:**

## Schools:

Joseph P. Kennedy Foundation .....	18.98
Cincinnati Fund — Social Studies .....	1,046.92
Harvard Grant .....	2,376.75
Peace Corps Training .....	200.00
Tutoring Assistance .....	184.79
P. Simons — Lt. Gutman Fund .....	471.34

## Other:

Garden Club .....	180.00
Committee on Urban Responsibilities .....	325.00
Youth Resources Program .....	172.60
	<hr/>

1,058,113.63



## LIABILITIES AND RESERVES (Cont.)

**Revolving Funds:**

School Lunch .....	\$ 67,168.78	
School Athletics .....	4,021.26	
	<hr/>	\$ 71,190.04

**Appropriation Balances:**

Revenue:		
General .....	1,507,973.36	
Non-Revenue:		
Town Office Building and Police Station .....	8,001.37	
Land Acquisition — Coolidge Corner .....	38,016.14	
Fire Station Construction — Babcock Street ....	1,629.68	
Sewer Construction .....	2,251.06	
Land Acquisition — New Pierce School .....	54,480.00	
Construction — New Gymnasium .....	25,006.43	
Sewer Construction — Brook Street .....	11,385.16	
Land Acquisition — New Lincoln School .....	11,794.80	
Addition to High School .....	20,984.77	
Remodeling High School .....	2,930.00	
Construction of Water Mains 1968 .....	4,818.91	
Construction of Water Mains 1969 .....	22,978.91	
Coolidge Corner Library — addition .....	2,046.16	
Coolidge Corner Library — remodeling .....	260.71	
Coolidge Corner Parking Lots .....	1,705.85	
Marsh Redevelopment Project .....	4,057.00	
Land Acquisition —		
Adjacent to New Pierce School .....	7,334.02	
Construction of Water Mains — 1970 .....	112,820.21	
	<hr/>	1,840,474.54
<b>Loans Authorized and Unissued .....</b>		6,214,000.00

**Overestimates 1970**

Metropolitan Parks .....	620.69	
Metropolitan Sewerage .....	24,093.20	
Metropolitan Water .....	1,887.40	
Mass. Bay Transportation Authority .....	1,123.41	
Metropolitan Air Pollution .....	245.24	
	<hr/>	27,969.94
County Tax .....		48,761.31

**Receipts Reserved for Appropriation:**

Parking Meter Fees .....	123,264.50	
Cemetery:		
Sale of Lots and Graves .....	7,025.00	
Miscellaneous Sales .....	12,859.95	
Sale of Real Estate Fund .....	1,867.75	
Fire Insurance Recovery Fund .....	500.00	
	<hr/>	145,517.20

**Overlays Reserved for Abatement of Taxes:**

Levy of 1966 .....	2,900.00	
Levy of 1970 .....	118,255.92	
	<hr/>	121,155.92

## LIABILITIES AND RESERVES (Cont.)

**Revenue Reserved until Collected:**

Special Real Estate Tax — 1968 .....	\$ 23,490.36	
Motor Vehicle and Trailer Excise .....	301,921.54	
Special Assessments .....	758.03	
Tax Title and Possession .....	35,228.64	
Departmental .....	40,597.70	
Water .....	185,680.44	
Aid to Highways .....	1,379.10	
Appropriation of Highway Fund Authorized .....	2,958.48	
		\$ 592,014.29
<b>Surplus Revenue</b> .....		2,746,382.48
		<u>\$14,148,101.43</u>

## DEBT ACCOUNTS

**Serial Loans:****Inside Debt Limit:**

Town Office Building and Police Station .....	\$ 1,295,000.00	
Fire Station — Babcock Street .....	175,000.00	
Sewers and Drains .....	2,536,000.00	
Schools .....	463,000.00	
School Land Acquisition — Pierce School .....	330,000.00	
Library — Pleasant Street .....	34,000.00	
Swimming Pool .....	120,000.00	
Skating Rink .....	10,000.00	
Parking Lots — Coolidge Corner:		
Land Acquisition .....	235,000.00	
Construction .....	75,000.00	
Coolidge Corner Library:		
Addition .....	345,000.00	
Renovation .....	60,000.00	
		\$ 5,678,000.00

**Outside Debt Limit:**

Schools and Gymnasium .....	1,895,000.00	
Farm Redevelopment Project .....	120,000.00	
Urban Renewal Marsh Project .....	285,000.00	
Water Mains .....	720,000.00	
		3,020,000.00
		<u>\$ 8,698,000.00</u>

## DEFERRED REVENUE ACCOUNTS

**Apportioned Betterment Assessment Revenue:**

Due in 1971-1983 inclusive .....	\$ 61,406.74
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**Apportioned Water Main Revenue:**

Due in 1971-1976 inclusive .....	847.22
	<u>\$ 62,253.96</u>

## LIABILITIES AND RESERVES (Cont.)

## SUSPENDED REVENUE ACCOUNTS

**Suspended Revenue:**

Betterments .....	\$ 956.80
Water Mains .....	2,561.13
	<u>\$ 3,517.93</u>

## TRUST AND INVESTMENT ACCOUNTS

**Trust Funds:**

Public Safety Committee .....	2,103.92
Stephen E. Train Health Center .....	90,532.82

**School Funds:**

Mabel Prescott Bailey .....	\$ 4,971.41	
John A. Curtin .....	5,943.58	
Payson Dana .....	5,175.12	
Abbie W. Deane .....	10,493.77	
Charles W. Holtzer .....	14,674.16	
J. Murray Kay .....	1,306.28	
William H. Lincoln — Medal .....	2,500.81	
William H. Lincoln — Scholarship .....	19,102.22	
D. Blakely Hoar .....	23,331.44	
Katherine B. Shick .....	10,231.64	
Sumner E. Shikes .....	1,065.00	
Marion E. Thomas Teachers' Advance		
Study Fund .....	27,149.03	
Edward Fredkin .....	8,253.30	
		<u>134,197.76</u>

**Library Funds:**

Alice W. Bancroft .....	1,290.51	
Caleb Davis Bradlee .....	1,143.17	
Leon R. Eyges .....	16,447.71	
General Fund .....	1,867.58	
Isabella Stewart Gardner .....	5,712.67	
John L. Gardner — 1871 .....	10,969.42	
John L. Gardner — 1924 .....	21,257.53	
Martin L. Hall .....	5,437.83	
John Emory Hoar .....	613.52	
Louise M. Hooper .....	5,647.08	
Frances Emily Hunt .....	6,247.06	
D. Blakely Hoar .....	29,736.24	
		<u>106,370.32</u>

**Tree and Forestry Funds:**

Arthur W. and Frances G. Blake .....	3,195.55
James H. Bowditch .....	4,487.08
James D. Warren .....	1,011.71
D. Blakely Hoar Memorial .....	2,662.90
D. Blakely Hoar Tree Planting .....	21,060.20

32,417.44  
222,236.53  
14,340.67

**Cemetery Perpetual Care Funds****Stabilization Funds****William A. Hunt Industrial Accident Recovery**

Fund — Chapter 152, Sec. 15 G.L. ....	10,417.71
	<u>\$ 612,617.17</u>

## SCHEDULE C

## SPECIAL ASSESSMENT REVENUE — NOT DUE

DECEMBER 31, 1970

Year	Street Betterments	Water	Total
1971 .....	\$ 4,973.63	\$ 214.47	\$ 5,188.10
1972 .....	4,973.63	214.46	5,188.09
1973 .....	4,973.63	194.82	5,168.45
1974 .....	4,926.20	74.49	5,000.69
1975 .....	4,926.20	74.49	5,000.69
1976 .....	4,926.20	74.49	5,000.69
1977 .....	4,926.20		4,926.20
1978 .....	4,926.20		4,926.20
1979 .....	4,370.97		4,370.97
1980 .....	4,370.97		4,370.97
1981 .....	4,370.97		4,370.97
1982 .....	4,370.97		4,370.97
1983 .....	4,370.97		4,370.97
Suspended Assessments .....	956.80	2,561.13	3,517.93
	<u>\$62,363.54</u>	<u>\$3,408.35</u>	<u>\$65,771.89</u>



# SCHEDULE D

## CLASSIFIED STATEMENT OF FUNDED DEBT

DECEMBER 31, 1970

Due	URBAN RENEWAL		SCHOOLS AND SITES		PUBLIC BUILDINGS AND SITES		SEWERS AND DRAINS		TOTAL	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
1971	\$ 60,000.00	\$ 13,515.00	\$ 345,000.00	\$ 93,425.00	\$ 335,000.00	\$ 66,367.50	\$ 250,000.00	\$ 167,960.00	\$ 1,000,000.00	\$ 341,267.50
1972	60,000.00	11,505.00	338,000.00	82,485.00	335,000.00	56,847.50	252,000.00	155,565.00	985,000.00	306,402.50
1973	55,000.00	9,495.00	290,000.00	71,695.00	330,000.00	47,397.50	252,000.00	143,257.50	927,000.00	271,775.00
1974	55,000.00	7,665.00	260,000.00	61,965.00	284,000.00	38,482.50	247,000.00	130,950.00	846,000.00	239,062.50
1975	25,000.00	6,300.00	260,000.00	52,910.00	280,000.00	30,277.50	242,000.00	118,855.00	807,000.00	208,342.50
1976	25,000.00	5,400.00	200,000.00	43,855.00	265,000.00	22,152.50	241,000.00	106,972.50	731,000.00	178,380.00
1977	25,000.00	4,500.00	195,000.00	36,540.00	255,000.00	14,462.50	241,000.00	95,105.00	716,000.00	150,607.50
1978	25,000.00	3,600.00	160,000.00	29,520.00	70,000.00	9,602.50	230,000.00	83,237.50	485,000.00	125,960.00
1979	25,000.00	2,700.00	155,000.00	23,340.00	65,000.00	7,147.50	216,000.00	71,617.50	461,000.00	104,805.00
1980	25,000.00	1,800.00	155,000.00	17,340.00	45,000.00	4,897.50	205,000.00	60,312.50	430,000.00	84,290.00
1981	25,000.00	900.00	125,000.00	11,340.00	45,000.00	3,175.00	205,000.00	49,172.50	400,000.00	64,587.50
1982			125,000.00	7,110.00	40,000.00	1,512.50	205,000.00	38,032.50	370,000.00	46,655.00
1983							165,000.00	26,892.50	245,000.00	29,772.50
1984							150,000.00	17,405.00	150,000.00	17,405.00
1985							145,000.00	8,555.00	145,000.00	8,555.00
	\$405,000.00	\$ 67,380.00	\$2,688,000.00	\$534,405.00	\$2,349,000.00	\$302,192.50	\$3,256,000.00	\$1,273,890.00	\$8,698,000.00	\$2,177,867.50

## SCHEDULE E

## CHANGES IN TOWN DEBT

YEAR ENDING DECEMBER 31, 1970

Outstanding January 1, 1970 .....		\$6,874,000.00
Add:		
Land Acquisition — Pierce School .....	\$ 330,000.00	
Sewer Improvement Program .....	1,788,000.00	
Water Improvement Program .....	520,000.00	
		<u>\$2,638,000.00</u>
		\$9,512,000.00
Deduct:		
Urban Renewal .....	\$ 60,000.00	
Schools and Sites .....	310,000.00	
Public Buildings and Sites .....	340,000.00	
Water, Sewer and Drains .....	104,000.00	
		<u>\$ 814,000.00</u>
Outstanding December 31, 1970 .....		<u><u>\$8,698,000.00</u></u>
Note: In addition to the outstanding debt shown in this schedule a temporary loan in anticipation of a bond issue is outstanding for Land Acquisition — New Lincoln School in the amount of \$385,000.00 and the following unissued loans have been authorized:		
Pierce School Construction .....	5,264,000.00	
Underground Municipal Parking .....	680,000.00	
Marsh Redevelopment Project .....	270,000.00	
	<u>\$6,214,000.00</u>	

SCHEDULE F  
STATEMENT OF APPROPRIATION AND EXPENDITURES FOR YEAR 1970

	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
<b>General Government</b>							
1000 Selectmen .....	\$ 255.20	\$ 167,679.00	\$ 8,880.50	\$ 255.20	\$ 174,086.60	\$ 2,464.90	\$ 8.00
1100 Advisory Committee .....		1,450.00			1,353.00	97.00	
1300 Planning Board .....							
1350 Planning Department .....	2,806.50	63,247.00	1,770.00	1,350.00	56,416.34	8,833.91	1,223.25
1500 Town Clerk .....	95.00	52,280.00	2,000.00	95.00	54,186.84	1,321.76	141.00
			(2,000.00)				
1600 Registrars of Voters .....	105.00	55,800.00	959.00		46,137.42	8,726.58	
1650 Elections .....	75.00	51,700.00		75.00	51,433.58	266.42	
1700 Legal .....	10.88	93,395.00		10.88	72,758.96	23,178.04	20.00
1800 Comptroller .....	676.00	136,203.00	2,562.00	518.50	134,937.72	5,466.94	8.84
1900 Treasurer and Collector .....	782.60	81,876.00	3,033.02	775.72	84,103.41	812.49	
2000 Board of Assessors .....	30.58	57,625.00	1,911.00		53,785.80	5,523.28	257.50
2100 Purchasing .....		58,481.00	2,636.50		60,238.84	878.66	
			**600.00				
2300 Town Hall .....	3,674.70	87,169.00	1,690.30	3,674.70	89,105.46	353.84	
2500 Repairs to Public Buildings	1,300.81	84,135.00		1,300.81	69,178.93	342.64	14,613.43
	9,812.27	991,040.00	29,464.92	8,055.81	947,722.90	58,266.46	16,272.02
<b>Public Safety</b>							
3000 Police .....	13,114.14	1,831,256.00	**91,743.24	9,928.77	1,904,600.12	62,531.88	26,131.61
3050 Traffic Commission .....	20.00	58,460.00	67,079.00	20.00	60,313.42	362.60	78.78
			2,294.80				
			**2,100.00				
3100 Fire .....	17,542.58	2,405,258.00	94,075.00	17,325.66	2,450,434.61	40,096.98	11,118.33
3200 Fire and Police Signals .....	9,025.14	54,092.00	1,456.81	8,972.96	50,907.38	1,360.79	3,332.82
3300 Building Inspection .....	10.94	158,986.00	6,130.00		154,089.95	3,836.99	7,200.00
	39,712.80	4,508,052.00	264,878.85	36,247.39	4,620,345.48	108,189.24	47,861.54

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

COMPTROLLER

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	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
<b>Department of Public Works</b>							
<b>Salaries:</b>							
3500 Administration .....		88,841.00	4,350.00		86,021.85	7,169.15	
3600 Engineering .....	6,024.00	246,496.00	9,907.50		246,244.84	9,353.19	6,829.47
			**41,000.00				
3700 Highway .....	26,352.59	1,021,029.00	31,457.50		1,096,135.78	18,262.80	5,440.51
4700 Sanitation .....	4,690.86	514,150.00	27,230.00		529,088.19	16,782.67	200.00
4900 Water — Meters .....		68,104.00	2,955.55		71,059.55		
4950 Water — Distribution .....	7,750.50	370,919.00	12,750.00		383,262.66	6,845.32	1,311.52
<b>Operation:</b>							
3500 Administration Expense .....	909.10	11,130.00	2,000.00	909.10	12,327.31	802.69	
3600 Engineering Expense .....		19,840.00	700.00		18,622.70	205.60	1,711.70
<b>Highway Division:</b>							
3800 Roadways and Sidewalks .....	8,776.51	76,500.00	1,000.00	8,776.51	74,362.42	819.78	2,317.80
3900 Cleaning .....	170.00	4,400.00	1,500.00	170.00	5,896.80	3.20	
			(20,500.00)				
4000 Snow Removal .....	14,122.62	149,650.00	**46,000.00	14,122.62	149,231.76	657.31	25,260.93
4100 Traffic Control .....	3,099.51	47,650.00	2,000.00	3,099.51	30,685.25	4,966.27	13,998.48
			4,000.00				
4200 Garage A .....	9,786.68	108,700.00	**4,500.00	9,786.68	98,368.53	2,885.68	15,945.79
4300 Garage B .....	2,203.76	35,150.00	9,700.00	2,203.76	42,696.05	498.24	1,655.71
4400 Equipment .....	47,406.00	86,320.00	(400.00)	47,406.00	43,353.00	9,030.00	33,537.00
4500 Street Lighting .....	155.50	242,800.00		155.50	228,839.89	2,548.33	11,411.78
4600 Sewers and Drains .....		2,300.00			2,263.60	36.40	
<b>Sanitation Division:</b>							
4700 Refuse Collection .....	15,499.31	52,870.00		15,499.31	9,918.26	459.00	42,492.74
4800 Incinerator and Dump .....	1,620.31	36,530.00		1,620.31	32,985.56	264.49	3,279.95



## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
<b>Water Division:</b>							
4900 Meters .....	53.32	23,730.00		53.32	23,465.74	264.26	
4950 Distribution .....	5,218.26	92,035.00		5,218.26	69,636.66	11,939.27	10,459.07
	153,838.83	3,299,144.00	180,150.55	109,020.88	3,254,466.40	93,793.65	175,852.45
<b>Health</b>							
5000 Health Department .....	11,612.57	449,314.00	8,525.00	7,313.24	431,461.39	18,727.22	11,949.72
<b>Public Assistance</b>							
5700 Aid to Families with Depen- dent Children .....	3,824.97					3,824.97	
5800 Old Age Assistance .....	2,948.23					2,948.23	
5875 Medical Assistance .....	102.09				73.04	29.05	
5900 Disability Assistance .....	2,209.17				2,209.17		
			**61,359.17				
5950 Veterans Services .....	14,612.95	389,733.00	2,675.00	14,496.04	453,880.15	3.93	
	23,697.41	389,733.00	64,034.17	14,496.04	456,162.36	6,806.18	
<b>Education</b>							
2876 Reserve for Teachers Salaries	11,640.51		326,351.32	3,606.18	8,034.33		326,351.32
2877 Reserve for Other Charges ...	164,539.47		146,513.39	28,545.54	135,993.93		146,513.39
	176,179.98		472,864.71	32,151.72	144,028.26		472,864.71
<b>Instructional Services:</b>							
10-30 Personal .....					5,147,508.97		
40 Contractual Services .....					149,226.52		
50 Supplies and Materials .....					262,469.32		
60-90 Other Charges .....					10,842.71		
80 Capital Expenditures .....					67,561.01		
Total .....		6,196,935.00	6,423.00	420,935.04	5,637,608.53	144,814.43	

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
<b>Support Services:</b>							
10-30 Personal Services .....					2,031,466.82		
40 Contractual Services .....					453,110.46		
50 Supplies and Materials .....					344,233.05		
60-90 Other Charges .....					179,375.74		
80 Capital Expenditures .....					54,249.10		
<b>Total .....</b>		3,108,993.00	900.00	43,229.67	3,062,435.17	4,228.16	
<b>Department Total .....</b>	176,179.98	9,305,928.00	480,187.71	496,316.43	8,844,071.96	149,042.59	472,864.71
<b>Libraries</b>							
6800 Public Libraries:							
Personal Services .....	633.44	483,421.00			492,657.23	19,527.21	
Maintenance .....	9,558.32	194,405.00	18,725.00	9,558.32	175,241.70	393.21	9,365.09
<b>Total .....</b>	10,191.76	677,826.00	18,725.00	9,558.32	667,898.93	19,920.42	9,365.09
<b>Parks, Recreation and Forestry</b>							
7100 Recreation Personal Services	3,416.80	419,681.00	16,535.00		430,021.15	7,296.14	2,315.51
7200 Recreation Operation .....	10,804.95	140,331.00		10,804.95	138,351.56	200.28	1,779.16
7300 Council for the Aging .....	4,473.55	9,000.00			13,468.04	5.51	
7400 Conservation Committee .....	1,488.00	3,390.00		988.00	2,949.52	940.48	
7500 Park Personal Services .....	5,056.09	732,699.00	23,865.00		749,628.72	11,424.34	567.03
7550 Park Administration .....		4,599.00	(575.00)		3,906.02	117.98	
7600 Park Maintenance .....	31,787.16	166,400.00	475.00	31,787.16	146,509.17	6,914.68	13,451.15
7700 Golf .....	368.09	37,050.00	100.00	368.09	32,001.01	934.59	4,214.40
7800 Forestry Personal Services .....		126,387.00	5,350.00		129,606.89	1,881.71	248.40
7850 Forestry Administration .....		1,010.00			711.33	298.67	
7900 Forestry Planting & Preserv- ing Trees .....	10,965.49	41,400.00		10,965.49	37,388.52	901.65	3,109.83

## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
7950 Forestry — Dutch Elm Dis- ease and Suppression of Insect Pests .....	12,662.88	15,500.00	**4,325.00	12,662.88	9,872.68	9,785.66	166.66
	81,023.01	1,697,447.00	50,075.00	67,576.57	1,694,414.61	40,701.69	25,852.14
<b>Cemeteries</b>							
7975 Care of Cemeteries .....	244.89	87,911.00	2,690.00	75.79	80,139.59	9,271.37	1,359.14
<b>Unclassified</b>							
2150 Stores .....	331.83	1,000.00		331.83	10.94	989.06	
2600 Out of State Travel .....	350.00	9,760.00	652.00	350.00	7,218.96	2,541.04	
2700 Central Telephone Service ....	4,107.30	70,000.00	**9,500.00	4,107.30	80,152.00		
2750 Warrants and Reports .....	1,826.62	30,000.00	**3,000.00	1,826.62	33,000.00		
2800 Contingent Account .....	10,525.11	55,000.00	(275,000.00)	10,525.11	47,820.99		7,179.01
2850 Reserve Fund .....		275,000.00	313,782.76		270,551.82		313,782.76
2875 Reserve for Accounts Payable ..	294,245.00	420,000.00	**8,775.00	23,693.18	428,706.29	68.71	
2900 Group Insurance .....		6,000.00			6,000.00		
5975 Quarters for Veterans .....					2,022.30	83.83	
8775 Planning & Redevelopment ..	2,106.13						
8800 Contributory Retirement System .....		758,795.00	580.00		759,375.00		
8850 Non-Contributory Retirements .....		822,023.00			794,921.48	27,101.52	
8900 Workmen's Compensation Insurance .....	2,991.74	159,597.00			155,222.18		7,366.56
8950 Dues — Mass. League of Cities & Towns .....		3,695.00			3,694.16	.84	
9000 Central Xerox Service .....	6,893.48	7,500.00		6,893.48	3,424.09		4,075.91
9050 Central Services .....	186.86	23,375.00	768.90	186.86	24,083.73	5.17	55.00

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Balances From 1969	1970 Appropriations	Transfers Various	To Res. for Accts. Pay.	Total Disburse- ments	Unencumbered Balances Closed Out	Balances to 1971
9100 Central Postage Meter .....		18,000.00			18,000.00		
9150 Property & Boiler Insurance .....	928.75	57,765.00			37,697.00		20,996.75
9200 Detached Social Worker .....	277.91			277.91			
9250 Rent Control Board .....		32,865.00			31,463.36	855.64	546.00
9300 Committee on Urban Responsibility .....		12,560.00			12,558.95	1.05	
9350 Rent Review Board .....	14,700.00				14,700.00		
9400 Review of Building Code .....		3,500.00			3,500.00		
9450 Youth Services Program .....	10,437.80	68,974.00	1,365.00	10,437.80	67,113.08	3,018.46	207.46
	349,908.53	2,835,409.00	63,423.66	58,630.09	2,801,236.33	34,665.32	354,209.45
<b>Debt and Interest</b>							
8500 Matured Funded Debt .....		814,000.00			814,000.00		
8600 Interest on Funded Debt .....		210,000.00			209,691.25	308.75	
8700 Miscellaneous Interest and Fees .....		264,000.00			212,078.69	51,921.31	
			*263.50				
8750 Certifying & Printing Bonds		5,000.00	**2,097.59		7,361.09		
		1,293,000.00	2,361.09		1,243,131.03	52,230.06	
	856,222.05	25,534,804.00	1,164,515.95	807,290.56	25,041,050.98	591,614.20	1,115,586.26



## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

SPECIAL APPROPRIATIONS FOR 1970		Appropriations 1970	Transfers During 1970	Disburse- ments	Balances Closed Out	Balances to 1971
9500/601	Salary Adjustments .....	395,000.00	( 370,281.98)		24,718.02	
/602	Restoration High School Library Fire Damage .....	281,000.00		227,431.67		53,568.33
/603	Replacement of Furnishing due to Fire Damage .....	186,000.00		91,432.79		94,567.21
/604	Special Police Details — Sacks Bldg. in 1968 .....	17,892.00		17,892.00		
/605	Plans & Spec's — Work Shop Storage Anderson Park .....	88,000.00		2,092.90		85,907.10
/606	Schematic Plans — Brookline Ave. Recreation Center .....	12,000.00		4,800.00		7,200.00
/607	Working Drawings & Spec's Alter. & Add'n Main Library .....	160,000.00				160,000.00
/608	Urban Design Consultant — Coolidge Corner & Washington Sq. ....	30,000.00		25,000.00		5,000.00
/609	Plans and Spec's Wm. H. Lincoln School .....	200,000.00				200,000.00
/613	Land Taking adjacent to Pierce School .....	19,000.00	***60,000.00	71,665.98		7,334.02
/614	Installation of Sprinkler Systems various Schools .....	70,000.00		23,784.38		46,215.62
/615	Chapter 90, Highway Construction 1970 .....	94,600.00		123.28		94,476.72
/616	Chapter 768 of the Acts of 1969 .....	290,875.44		228,258.64		62,616.80
/617	Laying and Relaying Water Mains .....		***260,000.00	147,179.79		112,820.21
/618	Construction of Drains — Various Streets .....	69,000.00		23,939.55	43,852.26	1,208.19
/619	Public Improvement Projects, Mass. E-3 Code Enforce. ....	75,000.00		61,315.00		13,685.00
/620	Land Damages, Park St. through Park Vale .....	15,500.00		1,603.25		13,896.75
/621	Modernization and Improvement of Traffic Control Various Sts. ....	85,400.00		2,018.37		83,381.63
/622	Installation of Flashing Traffic Signal .....	3,000.00				3,000.00
/623	Purchase new Parking Meters and Replacement Parts .....	15,000.00		14,990.62	9.38	
/624	Highway Construction — Chapter 768 of the Acts of 1969 .....					
/625	Human Relations Commission .....	17,000.00	*96,958.48	74,603.87		22,354.61
/626	Construction of New Pierce School .....			700.00		16,300.00
/627	Remodeling, Reconstruct. Pierce School, not scheduled to be demolished .....	30,000.00				30,000.00

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

COMPTROLLER

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SPECIAL APPROPRIATIONS FOR 1970					
	Appropriations 1970	Transfers During 1970	Disburse- ments	Balances Closed Out	Balances to 1971
9500/628 Construction of Underground Municipal Parking Facility .....	23,000.00				23,000.00
/629 Add'l Relocation & Moving Cost — Pierce School .....	44,500.00				44,500.00
	2,221,767.44	46,676.50	1,018,832.09 ✓	68,579.66	1,181,032.19
<hr/>					
Appropriations Brought Forward From Prior Years					
	Balance From 1969	Transfers During 1970	Disburse- ments	Balances Closed Out	Balances to 1971
9600/601 Town Hall Construction .....	8,001.37				8,001.37
/602 Coolidge Corner Land Acquisition .....	39,881.14		1,865.00		38,016.14
/603 Alterations — Williams Street .....	145.82				145.82
/604 Dale Street Improvements .....	17,217.14			17,217.14	
/605 Alterations — Shailer Street .....	391.82		391.82		
/606 Fire Station Construction .....	1,629.68				1,629.68
/607 Highway Chapter 90 — 1966 .....	38,871.88		38,871.88		
/608 Highway Chapter 90 — 1968 .....	80,514.24		25,038.87		55,475.37
/609 Sewer Construction .....	2,251.06				2,251.06
/610 Indemnification Retired Police & Firefighters .....	1,394.00				1,394.00
/611 Plans & Spec's — New Pierce School .....	123,750.00		123,750.00		
/612 Land Taking — New Pierce School .....	10,670.00	** 270,000.00	226,190.00		54,480.00
/613 Furnish & Equip New Gymnasium .....	27,937.46		4,640.00		23,297.46
/614 Construction of New Gymnasium .....	25,166.83		160.40		25,006.43
/615 Sewer Construction — Brook Street .....	82,327.66		70,942.50		11,385.16
/616 Land Taking — New Lincoln School .....	12,200.00	** 385,000.00	385,405.20		11,794.80
/617 Preliminary Plans Main Library .....	15,200.00		12,600.00		2,600.00
/618 Addition to High School .....	20,984.77				20,984.77
/619 Furniture & Fixtures — High School .....	8,706.43		73.17		8,633.26
/620 Plans & Spec's Add'ns & Alter. — Heath School .....	39,377.00	\$25,000.00	27,340.80		37,036.20
/621 Remodeling High School .....	2,930.00				2,930.00

## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Appropriations Brought Forward From Prior Years	Balance From 1969	Transfers During 1970	Disburse- ments	Balances Closed Out	Balances to 1971
9600/622	Devotion Playground .....	3,208.54		3,200.00	8.54	
/623	Traffic Control Modernization .....	58,239.17		26,803.84		31,435.33
/624	Plans & Spec's Add'n's & Alter. — Lawrence School .....	35,182.00	\$70,000.00	43,178.25		62,003.75
/625	Plans & Spec's Add'n's & Alter. — Runkle School .....	38,802.62	\$22,000.00	26,120.00		34,682.62
/626	Traffic Signal Modernization .....	4,735.15				4,735.15
/627	Real Estate Appraisal .....	15,008.20				15,008.20
/628	John Street Land Acquisition .....	380.00				380.00
/629	New Traffic Signals — Beacon, Mount. & St. Paul ..	39,300.00		10,146.46		29,153.54
/630	Equip Coolidge Corner Library .....	32,000.00		31,989.81	10.19	
/631	Plans & Redevelopment — Longwood Playground .....	15,265.59		15,228.70	36.89	
/632	Field House — Amory Playground .....	24,483.90		123.88		24,360.02
/633	Amory Drainage .....	6,369.91		4,047.47	2,322.44	
/634	Juniper Street Deed .....	75.90				75.90
/635	Modernization of Traffic Controls Various Streets ..	39,400.00		431.40		38,968.60
/636	Construction of Water Mains 1968 .....	6,162.68		1,343.77		4,818.91
/637	Winchester Park .....	13,504.78		5,000.00		8,504.78
/638	Highway Construction — Chapter 616, 1967 .....	28,087.54		28,087.54		
/639	Clark Playground .....	1,167.96		760.00	407.96	
/640	Public Improvements, Project ME-3 .....	19,233.67		14,636.08		4,597.59
/641	Plans, Various Playgrounds .....	7,561.43		4,731.92		2,829.51
/642	Williams & Center Street — Land Damage .....	1,340.00				1,340.00
/643	Workshop Anderson Park .....	3,502.80				3,502.80
/644	Water Construction — 1969 .....	243,087.06		220,108.15		22,978.91
/645	Sewer Construction — Beal & Gibbs Streets .....	89,086.11		17,696.82	70,889.29	500.00
/646	Heath Street Land Acquisition .....	1,200.00		680.20	519.80	
/647	Highway Construction — Chapter 90 .....	22,028.58		9,342.80		12,685.78
/648	Water Easements — Grove Street — Land Damage ..	2,774.88		418.00		2,356.88
/649	Land Damages — Water Construction .....	2,768.38		679.00		2,089.38
/650	Addition to Coolidge Corner Library .....	57,891.92		55,845.76		2,046.16
/651	Remodeling & Repairs Coolidge Corner Library .....	12,106.80		11,846.09		260.71

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Appropriations Brought Forward From Prior Years	Balance From 1969	Transfers During 1970	Disburse- ments	Balances Closed Out	Balances to 1971
9600/652	Rent Review & Grievance Board .....	5,172.50		5,172.50		
/653	Services of Traffic Consultant .....	13,899.25		10,349.25		3,550.00
/654	Sewer Facilities Federal Grant .....		* 55.50			
/655	Pedestrian Bridge — Brookline Village .....	560,888.12 ***	1,148,000.00	1,038,702.05		670,241.57
/656	Marsh Redevelopment Project .....	12,000.00		1,800.00		10,200.00
/657	Land Acquisition for Library Parking .....	4,057.00				4,057.00
/658	Coolidge Corner Parking Lots .....	24,942.05		20,700.00		4,242.05
/659	Comm. on Urban Responsibility .....	1,705.85				1,705.85
		257.05	(257.05)			
		2,006,425.69	1,919,798.45	2,526,439.38	91,412.25	1,308,372.51



## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Tax Levy Estimates	Actual Disburse- ments	Over Estimates to 1971	Under Estimates to 1971
<b>State Assessments</b>				
Auditing Municipal Accounts .....	2,609.27	2,609.27		
Examination of Retirement System .....	6,317.80	6,317.80		
Metropolitan Park System:				
Bond Principal .....		116,701.61		
Bond Interest .....		61,588.71		
Maintenance .....	478,777.28	299,866.27	620.69	
Metropolitan Sewerage System:				
Bond Principal .....		51,331.57		
Bond Interest .....	283,944.03	46,951.31	24,093.20	
Maintenance .....		161,567.95		
Metropolitan Water System .....	328,559.88	326,672.48	1,887.40	
Boston Metropolitan District Expense .....	979.42	979.42		
Metropolitan Bay Transit Authority Deficiency .....	1,103,433.00	1,102,309.59	1,123.41	
Metropolitan Air Pollution District .....	4,604.95	4,359.71	245.24	
Metropolitan Area Planning Council .....	2,627.02	3,948.45		
Motor Vehicle Excise Bills .....	3,971.55	3,971.55		1,321.43
Group Insurance Commission .....	11,383.05	11,383.05		
	2,227,207.28	2,200,558.74 ✓	27,969.97	1,321.43
<b>County Assessments</b>				
Tax .....	1,012,799.18	964,027.87 ✓	48,771.31	

# SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

COMPTROLLER

469

	Balance from 1969	Receipts 1970	Disburse- ments	Transfers 1970	Balances Closed Out	Balance to 1971
<b>Federal Grants</b>						
<b>Welfare:</b>						
Administration:						
Aid for Families with Dependent Children	1,182.09				1,182.09	
Old Age Assistance	30,657.05				30,657.05	
Medical Assistance	954.30				954.30	
Disability Assistance	1,369.08				1,369.08	
Aid:						
Old Age Assistance	2,221.38				2,221.38	
Aid to Families with Dependent Children	4,769.80				4,769.80	
Disability Assistance	1,822.43		673.77		1,148.66	
Cuban Refugee Program	1,594.62				1,594.62	
Medical Assistance	92,322.01	3,367.15	3,832.34		91,856.82	
School:						
National Defense Education Act — P.L. 864	15,765.73	5,378.62	1,994.25	300.00		19,450.10
Public Law 874	97,206.38	82,094.00	125,298.87			54,001.51
Head Start	870.95					870.95
E.S.E.A. Title I	11,470.09	72,480.00	83,913.00			37.09
Child Care and Development — Vocational Education	27,821.68	50,741.00	51,017.64			27,545.04
Social Studies Project	1,165.52		118.60			1,046.92
Performing Arts — Title III	105,847.60	157,027.50	225,462.50			37,412.60
Metco Program — P.L. 89-10	38,087.38	175,471.00	132,623.75			80,934.63
Vocational Education — P.L. 88-210	204.81		204.81			
Vocational Education — Odwin	305.96					305.96
Academically Talented Pupils	2,458.32					2,458.32
Tutoring Assistance	184.79					184.79
Metco Research	10,203.50					10,203.50
Simon — Lt. Gutman Foundation	199.39	1,394.00	1,122.05			471.34
B. U. Special Education Grant		750.00	750.00			
School Library Title II		5,858.66	2,971.25			2,887.41

## SCHEDULE F—APPROPRIATIONS AND EXPENDITURES—Cont.

	Balance from 1969	Receipts 1970	Disburse- ments	Transfers 1970	Balances Closed Out	Balance to 1971
<b>Recreation:</b>						
Joseph P. Kennedy, Jr. Foundation .....	18.98					18.98
Code Enforcement Program .....	189,108.38	582,798.52	718,735.95			53,170.95
Harvard Grant .....	2,376.75					2,376.75
Peace Corps Training .....	200.00					200.00
Garden Club Grant .....	200.00		20.00			180.00
Multi-Service Senior Center for the Aged .....	3,410.16	14,685.15	17,695.65			399.66
Committee on Urban Responsibility .....	325.00					325.00
Youth Resources Program .....		308.00	135.40			172.60
	644,324.13	1,152,353.60	1,366,569.83	300.00	135,753.80	294,654.10
<b>Other Accounts</b>						
Temporary Loans in Anticipation of Revenue .....		8,500,000.00	8,500,000.00			
Temporary Loans in Anticipation of Bond Issue .....	900,000.00	1,822,000.00	2,337,000.00			385,000.00
Parking Meter Receipts .....	116,300.50	123,264.50		116,300.50		123,264.50
School Lunch Program .....		368,256.43	301,087.65			67,168.78
School Athletic Program .....	2,677.91	8,855.99	7,512.64			4,021.26
Agency, Tailings and Other Accounts .....	70,179.68	6,387,499.37	6,304,076.52			168,788.55
Trust Funds .....	12,083.35	100,624.78	100,350.37	15,186.02		12,357.76
Refunds on Taxes and Other Accounts .....		389,646.17	389,646.17			
Credits Direct to Appropriations .....		184,790.00	184,790.00			
Investment — Cash						
Revenue .....	(1,490,933.33)	2,490,933.33	3,500,000.00			(2,500,000.00)
	(389,691.89)	20,375,870.57	21,624,463.35	101,114.48		(1,739,399.15)
<b>Total Disbursements</b> .....			54,741,942.24			

(—) Indicates a Subtraction.

\* Interdepartmental Transfers.

† Raised and Appropriated.

\*\*\* Borrowed Funds.

† Raised and Appropriated.

† All other transfers from Salary Adjustments.

\*\* Reserve Fund Transfers.

## SCHEDULE C

## TREASURY RECEIPTS — 1970

**Taxes (Net, After Refunds)**

Levy of 1970:			
Real Estate .....	\$23,582,173.28		
Personal Property .....	1,126,276.86	\$24,708,450.14	
Prior Levies:			
Real Estate .....	820,554.63		
Personal Property .....	22,357.56		
Suspense .....	337.73	843,249.92	\$25,551,700.06 ✓

**In Lieu of Taxes:**

* From State — Refund a/c Loss of Taxes — Vets'			
Chapter 59, Sec. 5, Cl. 22 .....	7,709.00		
Brookline Housing Authority .....	10,476.00		
Metropolitan District Commission .....	2,157.52	20,342.52	

<b>Tax Title Redemptions</b> .....	4,352.01 ✓
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**Taxes from the State:**

Distribution of General Fund —			
Exclusive of Re-imbursement:			
Machinery Basis .....	1,843.07		
School Aid — Chapter 70 ....	584,749.50		
Special Education —			
Chapter 58 .....	148,932.00		
Valuation Basis .....	642,788.66	1,378,313.23 ✓	
Urban Re-development .....	15,769.48		
State Aid for Free Public Libraries .....	13,511.00		
Transportation — Chapter 71 .....	28,808.00		
Division of Youth Service .....	4,255.34	1,440,657.05	

**Licenses and Permits:**

Liquor —		
Package Stores:		
All-Alcoholic .....	13,200.00	
Wines and Beers .....	3,200.00	
Restaurants:		
All-Alcoholic .....	22,800.00	
Wines and Beers .....	450.00	
Innholders .....	2,500.00	
Clubs .....	350.00	
Druggists .....	2,700.00	
Temporary .....	15.00	45,215.00
Alcohol .....		9.00
Antiques .....		70.00
Auctioneers .....		93.00
Auto Dealers, Second Hand .....		420.87
Bicycle Registrations .....		111.00
Builders .....		773.00
Common Victuallers .....		294.00



## SCHEDULE G (Cont.)

Day Nurseries .....	166.50
Division of Standards — Comm. of Mass. ....	25.00
Firearms, ID Cards .....	222.00
Furniture, Second Hand .....	10.00
Garbage Transportation .....	100.00
Gun Dealer .....	10.00
Hackney .....	904.00
Highway — Parking Signs .....	11.00
Ice Cream .....	35.00
Innholders .....	15.00
Jewelry and Articles, Second Hand .....	55.00
Junk Dealers .....	35.00
Liquor ID Cards .....	208.00
Lodging Houses .....	60.00
Manicuring and Massaging .....	130.00
Marriages .....	1,822.00
Milk and Cream .....	58.00
Oleomargarine .....	14.00
Parking Lots — Open Air .....	900.50
Peddlers .....	10.00
Retail Food Establishments .....	355.50
Revolvers .....	400.00
Signs — Overhanging .....	167.75
Sunday Entertainment .....	844.00
Sunday Work Permits .....	60.00
Transient Vendors .....	60.00
	<hr/>
	53,664.12 <i>dv</i>

**Fines and Forfeits:**

Municipal Court Fines .....	241,109.20
Superior Court Fines .....	335.00
	<hr/>

241,444.20 *dv***Grants and Gifts:**

## Federal Government —

## Public Assistance — Aid:

Medical Assistance for the Aged .....	3,367.15
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## Education:

## National Defense Education

P.L. 864 .....	5,678.62
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## Federal Employment —

Children P.L. 874 .....	82,094.00
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Title I E.S.E.A. ....	72,480.00
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## Food Service —

Vocational Education .....	50,741.00
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Title III — Performing Arts .....	157,027.50
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Metco Program P.L. 89-10 ..	175,471.00
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Adult Education Practical Arts .....	7,323.00
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School Library — Title II ....	5,858.66
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556,673.78

Code Enforcement .....	582,798.52
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## Multi-Service Senior Center

for the Aged .....	14,685.15
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Other .....	2,452.00
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599,935.67

1,159,976.60

## SCHEDULE G (Cont.)

State —			
[ Highway Aid — Chapter			
768 — Acts of 1969 .....	387,833.92		
[ Highway Aid —			
Chapter 90 — G.L. ....	38,868.71	426,702.63	
Education:			
— School Buildings			
Construction .....	122,740.20		
[ Delinquency Prevention			
Program .....	8,262.37 ✓		
[ Retarded Program —			
Special Education .....	9,896.54 ✓	140,899.11	567,601.74
County —			
Highway Aid — Chapter 90		16,138.82	
Dog Licenses .....		2,714.29	18,853.11
<b>Special Assessments:</b>			
Sewers:			
Unapportioned — Assessments and Charges .....		581.49	
Betterments:			
Apportioned Assessments .....	5,033.62		
Deferred Assessments —			
Paid in Advance .....	664.69	5,698.31	
Water Mains:			
Apportioned Assessments .....		521.50	6,801.30 ✓
<b>Privileges:</b>			
Motor Vehicle and Trailer Excise:			
Current Year .....	1,263,496.98		
Prior Year .....	177,841.28	1,441,338.26	
Parking Meter Receipts:			
On-Street .....	82,530.00		
Off-Street .....	40,734.50		
Occupation of Sidewalks .....	682.00	123,946.50 ✓	1,565,284.76
<b>General Government:</b>			
Comptroller:			
IBM Voters Labels .....	299.80		
Telephone Refunds .....	98.56		
Sale of Waste Paper .....	84.70	483.06	
Treasurer and Collector:			
Legal Fees .....		4,351.16	
Assessors:			
Sale of Lists .....		521.25	
Town Clerk:			
Recording Fees .....	4,529.68		
Dog License Fees .....	594.00		
Sporting License Fees .....	531.65		
Certified Copies .....	5,005.95	10,661.28	
Selectmen:			
Damages — Claims .....	1,496.09		

## SCHEDULE G (Cont.)

Telephone Commissions .....	100.77		
Dispensing Machines .....	41.00		
Rental of Lot Taken by Eminent Domain .....	1,230.55	2,868.41	
Rental of Town Property:			
Anderson Estate .....	6,220.00		
Redevelopment Authority .....	5,400.00	11,620.00	30,505.16 <i>d</i>

**Protection of Persons and Property:**

Police Department:			
State Reimbursement			
Teleprocessing Equipment ....	695.00		
Photos, Reports, Fees, Etc. ....	7,464.50		
Salary Reimbursements .....	7,680.80		
Damages — Claims .....	2,752.65		
Private Details .....	97,250.87		
Surcharge on Private Details ....	9,278.00		
Proceeds of Auction .....	466.23	125,588.05	
Fire Department:			
Recovery of Damages .....		1,341.20	
Inspection of Buildings:			
Sundry Permits .....	11,322.99		
Sale of Zoning and By-Laws .....	552.50		
Board of Appeals .....	855.00	12,730.49	
Sealing of Weights and Measures:			
Fees .....		1,518.20	
Forestry Department:			
Inspection of Trees .....	2,973.48		
Moth Spraying .....	3,793.19		
Tree Damages — Claims .....	348.50	7,115.17	
Civil Defense — U.S. Treasury .....		485.34	148,778.45 <i>d</i>

**Department of Public Works:**

Engineering:			
Zoning maps, Photostats, Etc. ....		40.00	
Highways:			
Refund Auto Liability			
Insurance Premiums .....	1,036.45		
Storage Rental Charge to			
State D.P.W. ....	600.00		
Sidewalks .....	3,208.06		
Damages —			
Street and Traffic Signs .....	1,589.60		
Gasoline Tax .....	1,371.38		
Miscellaneous Refunds .....	200.26		
Recovery of Sewer Charges .....	138.00	8,143.75	
Sanitation:			
Refuse and Garbage Disposal ....	15,516.50		
Dumping Permits .....	5,675.00	21,191.50	
Water:			
Sale of Water .....	695,966.52		

## SCHEDULE G (Cont.)

Water Liens .....	54,711.60		
Connections .....	20,322.74		
Maintenance .....	853.08		
Damages .....	1,510.52	773,364.46	
Total — Dept. of Public Works .....			802,739.71 <i>d</i>
<b>Health:</b>			
Rabies — Vaccine Clinic .....	1,756.75		
Miscellaneous .....	448.42		
Custodial Services .....	36.17		2,241.34 <i>d</i>
<b>Public Assistance:</b>			
Reimbursements for:			
Old Age Assistance — State .....	189.49		
Medical Assistance — State .....	1,632.75		1,822.24 *
<b>Veterans' Services:</b>			
Veterans' Benefits .....	151,196.77		
Veterans' Recoveries .....	7,270.72		158,467.49 *
<b>Schools:</b>			
Tuition:			
Individuals —			
Elementary .....	16,276.88		
High School .....	25,739.07		
Summer School .....	23,390.00	65,405.95	
Adult Education —			
Non-Res. and Res.			
Driver Training .....	3,305.55		
Registration Fees .....	6,074.00	9,379.55	
Cities and Towns —			
Evening Vocational .....	1,060.80		
Children in Custody of Div. Child Guardianship .....	9,296.51		
Custodians Services, Police & Firefighters Details .....	6,989.96		
Refund Sabbatical Leave .....	5,960.00		
Sundry Receipts:			
Sale of Textbooks .....	1.00		
Sale of Materials .....	815.73		
Damages — Lost Books, Etc. ..	525.48		
Miscellaneous Refunds .....	3,074.97		
Telephone Refunds .....	956.63		
Dispensing Machines .....	141.00		
Insurance Settlement Fire			
Damage various Schools .....	37,013.26		
Guidance Counseling —			
From State .....	357.70		
Occupational Education —			
From State .....	3,290.00	46,175.77	144,268.54 <i>d</i>
<b>Libraries:</b>			
Fines .....			17,460.71 <i>d</i>



## SCHEDULE G (Cont.)

**Parks and Recreation:****Parks:**

Rent of Town Property .....	640.00	
Refunds — Telephone .....	174.14	
Anderson Park Permits .....	893.00	
Fishing Permits .....	351.25	
Tennis Permits .....	3,683.50	
Concessions — Anderson Park .....	65.70	
Recovery of Damages .....	679.44	6,487.03

**Ice Skating Rink:**

Fees .....	17,112.90	
Concessionaire and Vending Machine .....	449.37	17,562.27

**Golf:**

Daily Play and Green Fees ....	37,109.25	
Permits, Resident .....	55,647.50	
Permits, Non-Resident .....	20,567.00	
Lockers .....	7,121.25	
Gasoline Tax Refund .....	895.31	
Golf Car Commission .....	4,098.00	
Concessionaire — Lunch Counter .....	1,000.00	
Sale of Golf Cars .....	1,564.00	
Sale of Miscellaneous Equipment & Supplies .....	267.58	128,269.89

**Recreation:**

Morning Play .....	6,216.56	
New Gymnasium Facilities .....	11,330.50	
Swimming Pool Fees .....	16,746.65	
Day Camp Fees .....	3,195.00	
Rental of Town Property .....	615.00	38,103.71
		190,422.90 <i>d</i>

**Unclassified:**

Massachusetts Hospital Service .....	20,159.00	
Workmen's Compensation Insurance Dividends ....	32,786.00	
Metropolitan Water — Account of Property Acquired .....	1,887.40	
Pension Refunded .....	1,600.08	
Group Insurance Commission G.L. Ch. 32B .....	1,722.00	
Insurance Settlement — Fire Damage — School ....	411,145.20	
Sale of Town Owned Property .....		
Reimbursement Military Pension .....	236.34	
Sale of MT Drums .....	438.00	469,974.02

**Cemeteries:**

Sale of Lots and Graves .....	7,025.00	
Interments and Foundations .....	12,859.95	19,884.95
Perpetual Care Fund — Capital .....	7,025.00	
Perpetual Care Fund — Income .....	14,587.71	41,497.66

**Interest:**

Taxes .....	59,729.22
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## SCHEDULE G (Cont.)

Betterment Assessments .....	2,709.42		
Water Mains .....	50.51	62,489.15	
Treasury Bills .....	<u>9,066.67</u>		
Certificates of Deposit .....	10,829.87		
Tax Titles .....	<u>390.30</u>	<u>20,286.84</u>	<u>82,775.99</u>
<b>Total Operating Revenue .....</b>			<b>32,721,631.68</b>
<b>Municipal Indebtedness:</b>			
Anticipation of Revenue .....		8,500,000.00	
Temporary Loans in Anticipation of Bond Issue ....		1,822,000.00	
Loans — General Purposes .....		2,638,000.00	
Premium on Bonds Issued .....		263.50	
Prepaid Interest on Temporary Loan in			
Anticipation of Bond Issue .....		<u>142.03</u>	<u>12,960,405.53</u>
<b>Invested Cash:</b>			
Revenue Cash .....			2,490,933.33
<b>Agency and Trust Funds:</b>			
Sporting Licenses for State .....		11,129.00	
Dog Licenses for County .....		5,352.00	
School Lunch:			
Schools .....	271,674.21		
Federal Grants .....	<u>96,582.22</u>	368,256.43	
School Athletics Activities .....		8,855.99	
School Department .....			
Disability Assistance, Medical Assistance			
Recovery Fund .....		13,012.85	
1971 License Deposits .....		46,708.00	
Highway — No Parking Sign Deposits .....		1,411.00	
Deposit on Sale of Town Property .....		30.00	
Deposit on Books — Adult Education .....		1,292.90	
Deposit on Contract Bids and Engineering Plans....		300.00	
Recovery Price Fixing Settlement .....		17,100.00	
Miscellaneous:			
Payroll Deductions Withheld .....		5,905,852.43	
Trust Funds .....		86,037.07	
Cash Escrow for Code Enforcement .....		<u>410,015.00</u>	<u>6,875,352.67</u>

## SCHEDULE G (Cont.)

**Credits Direct to Appropriations:**

Advisory .....	55.00	
Code Enforcement .....	40,732.17	
Contingency Selectmen .....	1,800.85	
County Tax .....	10.00	
Dept. of Public Works .....	6,460.78	
Engineering .....	4.86	
Federal Grant — Public Law 874 .....	12.74	
Fire Dept. ....	42.10	
Forestry .....	720.00	
Health .....	160.92	
Interest on Funded Debt .....	100.00	
Legal .....	202.53	
Library .....	817.90	
Multi-Service Senior Center .....	46.30	
Out of State Travel Advances .....	6,521.00	
Park Dept. ....	243.89	
Pensions .....	106,953.02	
Police Dept. ....	150.50	
Rent Review .....	27.50	
Reserve for Accounts Payable .....	976.36	
Schools .....	2,827.32	
Selectmen .....	15.00	
Special Appropriations .....	12,573.20	
Stores Supplies .....	244.82	
Town Clerk .....	13.86	
Veterans' Services .....	1,147.62	
Welfare .....	10.80	
Youth Services .....	31.56	
		182,902.60

## SCHEDULE G (Cont.)

**Refunds:**

Real Estate Taxes:			
Levy of 1970 .....	71,825.86		
Levy of 1969 .....	207,082.64		
Levy of 1968 .....	74,305.65		
Levy of 1967 .....	2,015.00		
Prior Years .....	562.50	355,791.65	
Personal Property Taxes:			
Levy of 1970 .....	1,873.45		
Levy of 1969 .....	940.80		
Levy of 1968 .....	124.50	2,938.75	
Motor Vehicle Excise:			
1970 .....	13,389.53		
1969 .....	12,984.27		
1968 .....	138.60	26,512.40	
Collector's Fees .....	17.34		
Interest on Taxes .....	450.87		
Schools .....	1,857.53		
Police Private Detail .....	20.00		
Highway .....	75.00		
Park .....	409.00		
Library .....	80.78		
Health .....	5.00	2,915.52	
Water Rates and Liens .....		1,487.85	389,646.17
<b>Total Receipts</b> .....			55,620,871.98
Cash Balance — January 1, 1970 .....			3,754,009.53
<b>Grand Total</b> .....			59,374,881.51



## SCHEDULE H

### EXPENDITURES FROM CONTINGENT ACCOUNT

**Selectmen:**

Advertising .....		\$ 1,101.87
Appraiser's Fees .....		225.00
Bronze Plaque .....		581.60
Consultants Fees:		
Building Code .....	\$ 1,682.09	
Engineering .....	858.79	
Fire Damage, High School .....	3,000.00	
Garage Study .....	2,500.00	
Insurance .....	1,790.00	
		<hr/>
		9,830.88
Conference Expenses .....		540.75
Employees Fidelity Bond .....		194.00
Legal Service:		
Mass. E3 Program .....		1,038.00
Overtime:		
Budget Preparation .....	998.28	
Code Enforcement Application .....	117.04	
Engineering .....	106.68	
Janitorial .....	325.31	
Preparation Group Insurance Schedule .....	50.38	
Rent Grievance Board .....	177.05	
Traffic Commission .....	580.29	
Treasury — Medicare .....	300.00	
		<hr/>
		2,655.03
Printing .....		794.40
Postage .....		1,100.00
Recording Fees .....		31.49
Supplies and Expense .....		5,271.14
Temporary Help .....		1,526.58
Youth Activities Documentary Film .....		464.00
Work Study Program .....		809.55
Miscellaneous .....		1,491.49

**Building Department:**

Inspection Underground Wiring — Beal Street .....	600.00	
Code Book .....	19.60	
		<hr/>
		619.60

**Committee on Town Organization:**

Secretarial Services .....		167.78
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**Civil Defense:**

Salaries .....	900.00	
Expense .....	1,448.00	
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		2,348.00

**Comptroller:**

Data Processing Equipment .....		595.00
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Moderators Expense .....		14.70
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## SCHEDULE H (Cont.)

<b>Park Department:</b>		
Playground and Motor Equipment .....	3,741.29	
Rental of Typewriter .....	118.75	
		3,860.04
<b>Personnel Board:</b>		
Conferences and Dues .....	514.90	
Publications and Printing .....	1,026.78	
Supplies .....	18.45	
Temporary Help .....	195.00	
		1,755.13
<b>Police Department:</b>		
Equipment .....	826.75	
Uniforms .....	1,729.50	
Painting Cars .....	315.00	
		2,871.25
<b>Police Auxiliary:</b>		
Uniforms and Equipment .....		905.80
<b>Public Works Department:</b>		
Refuse Sacks .....		1,740.45
<b>Rent Grievance Board:</b>		
Clerical .....	422.00	
Office Supplies .....	715.08	
Typewriter .....	293.00	
		1,430.08
<b>Recreation Department:</b>		
Temporary Help .....		380.90
<b>Town Counsel:</b>		
Furniture .....		286.60
<b>Town Hall:</b>		
Carpet Mats .....		334.60
<b>Veterans Services:</b>		
Adding Machine .....		152.55
<b>Settlement of Claim:</b>		
Underground Garage .....		1,414.00
<b>In Lieu of Taxes — City of Boston .....</b>		<b>4,014.08</b>
<b>Dedication Harry Downes Field .....</b>		<b>500.00</b>
<b>Balance December 31, 1970 .....</b>		<b>3,953.66</b>
		<u>\$55,000.00</u>

SCHEDULE I  
TRUST FUND TRANSACTIONS  
DECEMBER 31, 1970

	Balance, January 1, 1970 Capital	Income 1970	Payments 1970	Balance, December 31, 1970 Capital	Income
<b>School Funds:</b>					
Mabel Prescott Bailey .....	\$ 5,000.00	\$ 250.92	\$ 179.42	\$ 4,971.41	\$ 3,943.58
John A. Curtin .....	2,000.00	3,747.92	390.66	2,000.00	2,175.12
Payson Dana .....	3,000.00	2,248.88	426.24	3,000.00	5,806.22
Abbie W. Deane .....	4,687.55	5,099.49	1,106.73	4,687.55	6,340.83
Charles W. Holtzer .....	8,333.33	5,682.19	1,108.64	8,333.33	306.28
J. Murray Kay .....	1,000.00	321.82	61.64	1,000.00	385.81
William H. Lincoln — Medal .....	2,115.00	384.90	116.91	2,115.00	
William H. Lincoln — Scholarship .....	18,985.69		1,137.99	19,102.22	
Sumner E. Shikes .....	1,000.00	46.20	43.80	1,000.00	65.00
Katherine B. Schick .....	10,000.00	244.14	437.50	10,000.00	231.64
D. Blakely Hoar .....		22,931.91	1,199.53		23,331.44
Arthur W. Murphy .....		567.95			567.95
Edward Fredkin .....		13,270.00	431.32		8,253.30
Marion M. Thomas — Teachers Study Fund .....	25,000.00	1,007.68	1,741.35	25,000.00	2,149.03
	81,121.57	55,804.00	8,381.73	81,209.51	53,556.20
<b>Library Funds:</b>					
Alice W. Bancroft .....	1,000.00	234.63	55.88	1,000.00	290.51
Caleb D. Bradlee .....	500.00	594.39	48.78	500.00	643.17
Isabella S. Gardner .....	5,000.00	1,067.93	456.04	5,000.00	712.67
John L. Gardner — 1871 .....	10,000.00	1,127.11	651.46	10,000.00	969.42
John L. Gardner — 1924 .....	19,911.85	341.74	1,344.72	19,911.85	1,345.68
Martin L. Hall .....	5,000.00	614.99	361.94	5,000.00	437.83
John E. Hoar .....		611.69	31.68		613.52
Frances E. Hunt .....	6,230.95		501.92	6,247.06	

	Balance, January 1, 1970 Capital	Income 1970	Payments 1970	Balance, December 31, 1970 Capital	Income
Louisa M. Hooper .....	5,000.00	524.63	134.10	5,000.00	647.08
Leon R. Eyles .....		16,989.41	1,432.70		16,447.71
D. Blakely Hoar .....		29,411.32	1,213.52		29,736.24
Brookline Public Library .....		1,184.96	126.81		1,867.58
	52,642.80	52,702.80	5,923.12	52,658.91	53,711.41
<b>Tree Funds:</b>					
Arthur W. and Frances G. Blake .....	3,000.00	316.04	248.87	3,000.00	195.55
James W. Bowditch .....	4,500.00	443.14	679.34	4,487.08	
James S. Warren .....	940.00	289.88	273.68	940.00	71.71
D. Blakely Hoar — Memorial .....	2,500.00	647.62	647.62	2,500.00	162.90
D. Blakely Hoar — Tree Planting .....		22,221.36	1,577.99		21,060.20
	10,940.00	23,918.04	3,427.50	10,927.08	21,490.36
<b>Other Funds:</b>					
Stabilization Fund .....		13,626.08			14,340.67
Public Safety — 1918 .....		1,992.33			2,103.92
Stephen G. Train — Health .....	84,273.66	2,373.79		84,273.66	6,259.16
Cemetery Perpetual Care .....		213,736.53			222,236.53
William A. Hunt — Industrial Accident Recovery Fund .....		9,898.59			10,417.71
D. Blakely Hoar — Bird Sanctuary .....		8,958.91			8,958.91
	84,273.66	250,586.23		84,273.66	264,316.90
	\$228,978.03	\$383,011.07	\$ 19,892.21	\$229,069.16	\$393,074.87



# SCHEDULE J TAX LEVIES AND TAX COLLECTIONS

Fiscal Period	Total Tax Levy	Collections of Current Taxes During Fiscal Period	Percentage of Levy Collected During Fiscal Period	Collection of Back Taxes During Fiscal Period	Total Collections of Current and Back Taxes	Percentage Current and Back Taxes to Tax Levy	Tax Titles Held by Town and Foreclosed Tax Titles
1960	\$10,006,798.00	\$ 9,687,899.92	96.81%	\$262,345.79	\$ 9,950,245.71	99.43%	\$30,583.30
1961	10,059,870.25	9,733,217.99	96.75%	229,784.91	9,963,002.90	99.04%	28,207.17
1962	10,554,458.75	10,187,231.88	96.52%	216,298.11	10,403,529.99	98.57%	38,552.20
1963	11,418,843.30	10,937,801.06	96.79%	262,957.11	11,200,758.17	98.09%	27,894.46
1964	12,731,443.20	12,273,928.22	96.41%	339,059.35	12,612,987.57	99.06%	17,887.16
1965	13,108,339.00	12,642,766.53	96.45%	273,913.65	12,916,680.18	98.54%	17,291.56
1966	13,231,820.00	12,827,840.70	96.95%	292,599.91	13,120,440.61	99.16%	18,008.61
1967	15,516,514.00	14,962,896.90	96.43%	251,771.41	15,214,668.31	98.06%	15,745.68
1968	17,935,598.65	16,696,918.23	93.09%	336,243.61	17,033,161.84	94.97%	14,802.85
1969	21,548,078.30	19,854,461.15	92.14%	793,737.97	20,648,199.12	95.82%	13,572.16
1970	26,216,172.10	24,708,450.14	94.25%	843,249.92	25,551,700.06	97.46%	35,228.64

# SCHEDULE K PERCENTAGE OF BONDED DEBT TO ASSESSED VALUATIONS AND BONDED DEBT PER CAPITA

Fiscal Period	Population	Assessed Value	Bonded Debt	Percentage of Bonded Debt to Assessed Value	Bonded Debt Per Capita
1960	54,044*	\$184,662,000	\$4,551,000	2.464%	\$ 84.21
1961	54,044	190,962,900	4,118,000	2.156%	76.20
1962	54,044	216,909,500	7,135,000	3.289%	132.02
1963	54,044	223,236,900	6,559,000	2.938%	121.36
1964	54,044	227,340,900	6,247,000	2.747%	115.59
1965	53,608**	231,968,000	7,060,000	3.043%	131.70
1966	53,608	236,800,000	7,753,000	3.274%	144.62
1967	53,608	238,680,000	7,616,000	3.190%	142.07
1968	53,608	432,183,100†	7,760,000	1.80 %—	144.75
1969	53,608	439,755,700	6,874,000	1.56 %	128.23
1970	58,090	444,341,900	8,698,000	1.96 %	149.73

Population:

\*U. S. Census

\*\*State Census

†Estimated for Other Years

‡Increase due to Revaluation of Taxable Properties

—Decrease due to Revaluation of Taxable Properties

SCHEDULE L  
VALUATIONS, TAX RATES, EXPENDITURES, DEBT AND PER CAPITAS

Year	Population	Total Valuations	Valuation Per Capita	Tax Rate per \$1,000	Expenditures For the Year	Expenditures Per Capita	Funded Debt	Debt Per Capita
*1940	49,786	\$153,272,400.00	\$3,078.62	\$24.50	\$ 5,520,148.00	\$110.88	\$1,495,000.00	\$ 30.03
†1945	56,940	130,417,400.00	2,290.44	26.00	5,083,073.00	89.27	408,000.00	7.17
1946	57,000	132,021,800.00	2,316.17	28.50	5,560,579.00	97.55	276,000.00	4.84
1947	57,000	140,452,500.00	2,464.08	32.00	6,751,379.00	118.45	323,000.00	5.67
1948	57,500	145,664,600.00	2,533.30	34.00	7,591,069.00	132.02	977,000.00	16.99
1949	57,500	150,836,300.00	2,623.24	37.00	10,083,403.00	175.36	3,088,000.00	53.70
*1950	57,589	154,665,300.00	2,685.68	37.00	9,522,958.00	165.36	3,061,000.00	53.15
1951	57,500	159,589,300.00	2,775.47	38.90	10,318,673.03	179.46	2,976,000.00	51.76
1952	57,500	159,615,800.00	2,775.93	40.20	10,155,482.70	176.62	3,431,700.00	59.68
1953	57,000	162,445,800.00	2,849.93	41.00	11,119,453.23	195.08	4,097,500.00	71.89
1954	57,000	164,933,700.00	2,893.57	44.30	11,975,209.69	210.09	3,772,000.00	66.18
†1955	56,876	168,041,300.00	2,954.52	45.00	10,911,991.67	191.86	3,813,000.00	67.04
1956	56,500	170,531,400.00	3,018.25	48.00	11,922,946.19	211.03	3,536,000.00	62.58
1957	56,000	178,013,000.00	3,178.80	48.50	12,585,318.78	224.74	4,070,000.00	72.68
1958	55,000	179,907,200.00	3,271.04	52.20	13,758,750.28	250.16	4,605,000.00	83.73
1959	54,500	181,681,400.00	3,333.60	55.50	14,794,228.12	271.45	4,693,000.00	86.11
*1960	54,044	184,662,000.00	3,416.88	54.00	14,136,519.27	261.57	4,551,000.00	84.21
1961	54,044	190,962,900.00	3,533.47	52.50	14,323,530.64	276.30	4,118,000.00	76.20
1962	54,044	216,909,500.00	4,013.57	48.50	16,448,715.14	304.36	7,135,000.00	132.02
1963	54,044	223,236,900.00	4,130.65	51.00	18,088,436.59	334.70	6,559,000.00	121.36
1964	54,044	227,340,900.00	4,206.59	56.00	19,081,119.16	353.07	6,247,000.00	115.59
*1965	53,608	231,968,000.00	4,327.12	56.50	19,879,027.31	370.80	7,060,000.00	131.70
1966	53,608	236,800,000.00	4,417.25	56.00	21,481,198.87	400.71	7,753,000.00	144.62
1967	53,608	238,680,000.00	4,452.32	65.00	24,340,712.90	454.05	7,616,000.00	142.07
1968	53,608	432,183,100.00†	8,061.19‡	41.50—	25,577,488.17	477.12	7,760,000.00	144.75
1969	53,608	439,755,700.00	8,203.17	49.00	27,473,917.96	512.50	6,874,000.00	128.23
1970	58,090	444,341,900.00	7,649.20	59.00	31,750,909.06	546.58	8,698,000.00	149.73

\*Official Federal Census Figures

†Official State Census Figures

‡Increase due to Revaluation of Taxable Properties  
Estimated for Other Years

—Decrease due to Revaluation of Taxable Properties

# SCHEDULE M

## ASSESSORS' VALUATION OF TOWN PROPERTY

JANUARY 1, 1970

	Land	Buildings	Personal Property	Total
Town Hall .....	\$ 300,000.00	\$ 2,400,000.00	\$ 250,000.00	\$ 2,950,000.00
Police Station .....	50,000.00	700,000.00	25,000.00	775,000.00
Train Health Center .....	100,000.00	400,000.00	40,000.00	540,000.00
V.F.W. Center .....	150,000.00	25,000.00		175,000.00
22 Foreclosed Properties .....	65,200.00			65,200.00
Schools .....			600,000.00	16,583,000.00
High .....	400,000.00	4,500,000.00		
Manual Training High .....	100,000.00	200,000.00		
Baker .....	500,000.00	1,500,000.00		
Baldwin .....	65,000.00	175,000.00		
Baldwin (part) .....	50,000.00			
Clark Rd. .....	50,000.00			
Devotion School and Devotion				
House .....	500,000.00	1,220,000.00		
Driscoll .....	525,000.00	1,000,000.00		
Heath .....	270,000.00	950,000.00		
Lawrence .....	100,000.00	1,020,000.00		
Lincoln .....	125,000.00	750,000.00		
Pierce .....	240,000.00	450,000.00		
Runkle .....	200,000.00	1,000,000.00		
Sewall .....	43,000.00	50,000.00		
Public Library .....	186,000.00	436,000.00	689,000.00	2,251,000.00
Branch Libraries .....				
Pleasant Street .....	75,000.00	500,000.00		
West Roxbury Parkway .....	45,000.00	320,000.00		
Fire Department .....			300,000.00	1,585,200.00
Station 1, Village Square .....	60,000.00	100,200.00		
Station 2, Washington and				
Thayer Street .....	50,000.00	200,000.00		
Station 4, Boylston Street .....	40,000.00	90,000.00		
Station 5, Babcock Street .....	100,000.00	300,000.00		
Station 6, Hammond Street .....	42,000.00	250,000.00		
Station 7, Washington Street .....	13,000.00	40,000.00		
Highway Department .....			765,000.00	2,315,000.00
Hammond Street Yard .....	40,000.00	12,000.00		
Incinerator .....	450,000.00	801,000.00		
Cypress Street Yard and Garage		100,000.00		
Land, Newton Street .....	80,000.00			
Water Department .....			2,700,000.00	3,705,600.00
Covered Reservoir, Fisher Hill ..	104,000.00	300,000.00		
Reservoir and Standpipe .....				
Singletree Hill .....	56,600.00	295,000.00		
Garage, Emerald Street .....	35,000.00	55,000.00		
Storage Yard, Pearl Street .....	100,000.00	60,000.00		
Recreation Commission .....				
Gymnasium and Swimming Pool ..	130,000.00	2,300,000.00	75,000.00	2,974,000.00
Winthrop Center .....	36,000.00	50,000.00		
Soule Center .....	300,000.00	83,000.00		
Parks and Public Grounds .....			90,000.00	7,347,800.00
Addington Road .....	75,000.00	500.00		
Amory Playground .....	300,000.00	1,000.00		
Anderson Estate .....	600,000.00	234,600.00		
Babcock and Dwight Triangle .....	7,000.00			
Babcock and Freeman Triangle ..	6,500.00			
Beacon Playground .....	500,000.00	25,000.00		
Beverly Road .....	50,000.00			
Brook Street Playground .....	4,600.00			
Brookline Avenue Playground .....	230,000.00			
Brookline Field .....	450,000.00	125,000.00		
Clark Playground .....	50,000.00			
Coolidge Playground .....	146,000.00			
Corey Hill Park — North .....	125,000.00			
Corey Hill Park — South .....	120,000.00			
Cypress Playground .....	300,000.00			
Devotion Playground .....	165,000.00			
Dudley Street Triangle .....	32,000.00			
Eliot Playground .....	460,000.00	43,000.00		
Eliot Land .....	37,000.00			

## SCHEDULE M — VALUATION OF TOWN PROPERTY — (Cont.)

	Land	Buildings	Personal Property	Total
Emerson Park .....	150,000.00			
Farm Playground .....	17,000.00			
Griggs Field Playground .....	200,000.00			
Hammond Street .....	80,000.00			
Kent, Brook and Bowker Playground .....	40,000.00			
Knyvet Square .....	250,000.00			
Lawton Playground .....	40,000.00			
Linden Park .....	20,000.00			
Linden Square .....	9,500.00			
Longwood Playground .....	300,000.00			
Longwood Square .....	100,000.00			
Mason Square .....	48,000.00			
Netherlands Road .....	50,000.00	75,000.00		
Philbrick Square .....	12,000.00			
Pierce Playground .....	300,000.00			
Putterham Meadows .....	720,000.00	130,000.00		
Reservoir Lane .....	4,000.00			
Reservoir Park .....	150,000.00	6,000.00		
Riverdale Parkway .....	100,000.00			
Robinson Playground .....	100,000.00	100.00		
Vernon Park .....	37,000.00			
Walnut and Warren Triangle .....	3,000.00			
Winthrop Square .....	125,000.00			
Woodland Road and Hammond Street .....	104,000.00			
Walnut Hills Cemetery House, 96 Grove Street .....		19,500.00	1,500.00	21,000.00
Fire and Police Telegraph .....			150,000.00	150,000.00
Forestry Department .....			11,500.00	11,500.00
Heating and Lighting Plant .....			77,200.00	77,200.00
Sanitation Department .....			30,500.00	30,500.00
Street Lighting System .....			50,000.00	50,000.00
Parking Lot — Babcock Street .....	130,000.00			130,000.00
Parking Lot — Centre Street .....	400,000.00			400,000.00
Parking Lot — Centre Street .....	130,000.00			130,000.00
Parking Lot — Fuller Street .....	65,000.00			65,000.00
Parking Lot — John Street Extension .....	30,000.00			30,000.00
Parking Lot — Kent Street .....	58,000.00			58,000.00
Parking Lot — Webster Street .....	30,000.00			30,000.00
Parking Lot — Webster Street .....	165,000.00			165,000.00
Newton Street Land .....	4,000.00			4,000.00
86 Monmouth Street .....	60,000.00	5,000.00		65,000.00
	\$13,532,400.00	\$23,296,900.00	\$5,854,700.00	\$42,684,000.00



## SCHEDULE N

## BROOKLINE RETIREMENT SYSTEM

Submitted herewith is the Annual Report of the Town of Brookline Retirement System for the year ending December 31, 1970, consisting of a Statement of Income and Disbursements for the year, a Balance Sheet and a Schedule of Securities owned.

During the year the Board retired 26 members, of which 16 were for superannuation, 6 for accidental disability, 2 for ordinary disability, and in addition 2 survivorship allowances were granted for widows.

Membership in the system at the close of the year totaled 1608, which is comprised of the following categories:

1293	Active Members
7	Inactive Members
308	Retired Members

**Income and Disbursements**

Cash Balance, January 1, 1970 .....		\$143,266.82
Income:		
From Members .....	\$ 492,077.75	
From Town:		
Pension Fund .....	741,696.00	
Expense Fund .....	17,679.00	
From Brookline Housing Authority:		
Pension Fund .....	11,324.00	
From Brookline Redevelopment Authority:		
Pension Fund .....	5,928.00	
Transfers from Other Systems .....	7,645.32	
Reimbursements from Other Systems .....	5,545.33	
Members Redeposit and Repayments .....	14,655.33	
Investment Income .....	287,734.07	
Matured Bonds .....	115,000.00	
		<u>1,699,284.80</u>
		<u>\$1,842,551.62</u>
Disbursements:		
Annuities Paid .....	108,757.53	
Pensions Paid .....	870,023.50	
Pension Reimbursements to Other Systems .....	16,247.38	
Refunds to Members .....	87,460.57	
Administration Expense .....	15,372.16	
Purchase of Securities .....	648,993.00	
Accrued Interest on Securities Purchased .....	2,798.31	
		<u>1,749,652.45</u>
Cash Balance, December 31, 1970 .....		92,899.17
		<u>\$1,842,551.62</u>

**Assets**

Cash .....	\$ 92,899.17	
Investments:		
Bonds .....	5,627,304.54	
Stocks .....	539,903.75	
Savings Banks .....	8,922.42	
Cooperative Banks .....	62,000.00	
Accrued Interest .....	61,169.27	
		<u>\$6,392,199.15</u>

**Liabilities**

Annuity Savings Fund .....	\$4,824,677.24	
Annuity Reserve Fund .....	930,969.51	
Military Service Credit Fund .....	8,917.36	
Pension Fund .....	620,403.93	
Expense Fund .....	7,231.11	
		<u>\$6,392,199.15</u>

**SECURITIES OWNED — DECEMBER 31, 1970****Bonds:**

	<i>Par Value</i>
U.S. Government .....	\$ 125,000.00
Other Governmental Agencies .....	70,000.00
Railroad Companies .....	489,000.00
Telephone Companies .....	1,435,000.00
Public Utilities .....	2,691,000.00
Industrial Companies .....	841,000.00
	<u>\$5,651,000.00</u>

**Stocks:**

	<i>Shares</i>	<i>Cost</i>
Banks .....	12,698	\$ 207,876.11
Massachusetts Co-operative Banks .....	310	62,000.00
Savings Banks .....		8,922.42











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